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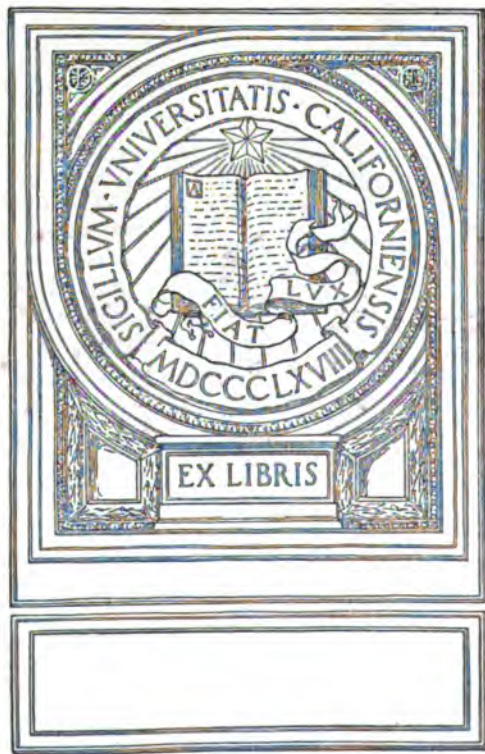
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THE

Publications of the Prince Society.

Established May 25th, 1858.

$\frac{10}{13}$ ———

CAPT. JOHN MASON.



Boston:

PRINTED FOR THE SOCIETY,

By JOHN WILSON AND SON.

1887.

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TWO HUNDRED AND FIFTY COPIES.

CAPT. JOHN MASON,

THE FOUNDER OF NEW HAMPSHIRE.

INCLUDING HIS TRACT ON NEWFOUNDLAND, 1620; THE AMERICAN
CHARTERS IN WHICH HE WAS A GRANTEE; WITH LETTERS
AND OTHER HISTORICAL DOCUMENTS.

TOGETHER WITH A

M E M O I R

By CHARLES WESLEY TUTTLE, PH.D.

EDITED WITH
HISTORICAL ILLUSTRATIONS

HISTORICAL ILLUSTRATIONS

By JOHN WARD DEAN, A.M.

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1887.

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TO VIRU
ALPHONSO

Editor:
JOHN WARD DEAN, A.M.



P R E F A C E.



HE late CHARLES WESLEY TUTTLE, Ph.D., was invited in 1873, by the Prince Society, of which he was an officer, to prepare, as one of the publications of the Society, a monograph on Captain John Mafon, the founder of New Hampshire, in which should be embodied a memoir of Mafon; a reprint of his tract on Newfoundland, first published in 1620; the several American charters in which he was a grantee; his Will, and such other papers as might illustrate his life and character, and especially his efforts in the colonization of New England. This invitation Mr. Tuttle readily accepted. He had already been engaged in collecting materials for such a work, and had written out a memoir of Mafon.

Mr. Tuttle was admirably fitted for the preparation of the proposed work. He had an intimate knowledge of the history

history of New England, particularly of New Hampshire, the home of his ancestors, and he entertained a deep reverence for the remarkable men whom that soil had nurtured. He had also a clear understanding and a breadth of mind which enabled him to comprehend all the bearings of the subject. He was also a careful investigator. He was always ready to follow truth, even if it required him to give up preconceived opinions. His researches were unremitting and thorough. His temperament prevented him from leaving a subject before he had exhausted it as far as possible, before he had gathered all the facts concerning it within his reach, in fact, before he had seen it on all its sides. As a writer he was critical in the use of language, in pruning and polishing whatever he undertook, and consequently he expressed his ideas with fulness and perspicuity, with beauty and grace. Those who knew him were confident, therefore, that the work which was to proceed from his pen would present a truthful and accurate picture of the men and times of early New England, and would be a valuable contribution to our historical literature.

After entering upon this work, Mr. Tuttle devoted at once all the time that he could spare from his profession to the collection of materials. The result was that at his death, which occurred at Boston, July 17, 1881, a large mass of historical material relating to Mason and his schemes of colonization had been accumulated. He had delayed writing

ing out his monograph for the press in the hope that the English Commission on Historical Manuscripts, which had already discovered many important papers in private hands, would find valuable documents illustrating the life and services of Captain Mason; and possibly that the private manuscripts of Mason himself might be discovered. These, if found, he was confident would throw much light on Mason's career.

After Mr. Tuttle's death his manuscripts were placed by the Prince Society in my hands, with the request that I would prepare them for the press. This I have done to the best of my ability. I have spared no labor in my endeavor to make the work creditable to the Society, to the memory of Mr. Tuttle, and useful to the historical student. All that was ready for the press when I received the papers were the memoir and the foot-notes to which the letter T is appended. The writing out of the narrative portions of the work, and the collation and annotation of the documents have been done by me. I have also made use of other materials obtained by myself or furnished me by friends. The reader will readily see that Mr. Tuttle should not be held responsible for any of the opinions expressed in this volume, except such as are found in those parts which I have named as proceeding from his pen.

The editor acknowledges his indebtedness to the Rev. Edmund F. Slafter, President of the Prince Society, for
valuable

valuable assistance in his editorial work. To other friends he is also indebted in various ways. The excellent Index has been gratuitously furnished by Mr. Edward Denham, of New Bedford, a member of the Society.

J. W. D.

BOSTON, 18 SOMERSET STREET,
May 20, 1887.





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THE HOUSE OF CAPT. JOHN MASON,

At Portsmouth, England.

**It is likewise noted as the place where the Duke of Buckingham was
assassinated, Aug. 23, 1628. See pages 21 and 255.**



MEMOIR
OF
CAPTAIN JOHN MASON.



THE discovery of America by Columbus at the close of the fifteenth century must be regarded as the greatest event in the annals of Maritime enterprise, if not the greatest of human achievements. Whether measured by the magnitude of the discovery, as the work of a single man, or by the results which have flowed from it, no discovery before, or since, has surpassed it.

The glory of Columbus is unsurpassed by that of Newton. Their great achievements, separated by a period of two centuries, stand unmatched before the world. One unlocked the greatest secret of the terrestrial globe, while the other performed an equally extraordinary work in the celestial sphere; performances equally grand, solitary, and unique. A great French geometer said of Newton, that he was the most fortunate of men; for only once was a system of the Universe to be established. So we may say
1 of

of Columbus; for only once was a New World to be discovered, one half of the globe to be made known to the other.

After Columbus had discovered the way to this vast *terra incognita*, lying far off in the Atlantic seas, others followed *apace*; each striving to reach that "gorgeous east" which
 "with richest hand
 Showers on her kings barbaric pearl and gold."

The English, the Portuguese, the French, and the Spanish, great western nations of Europe, vied with each other to reach Cathay and the East Indies by sailing east from the shores of Europe. The Ganges and the Hydaspes, Indian streams, were reached by the Portuguese sailing round the Cape of Good Hope, while Columbus was still exploring the American coast, then supposed by him to be Asiatic shores, and hard by the treasures of that country. The persistent efforts of European maritime nations to reach Cathay resulted in the discovery of the configuration of the American continent, and by those efforts they learned that a vast ocean lay between it and Cathay. Indian tales led to the belief that there was some water-passage through the continent to the great ocean beyond, which would shorten the passage which must otherwise be made round Cape Horn. The efforts to discover this water-passage led to a knowledge of the American coast, and prepared the way for European emigration and colonization.

While Spain claimed by virtue of original discovery and by papal decree all America, other nations claimed such parts as they had explored, and were not then in the possession of any Christian prince or people. The country was too

too vast for the protection of Spain. Besides, the Spanish had fallen upon the richest mineral parts of it, and were intoxicated with the treasure; they were unwilling to leave their Paradise to drive away other nations that were selecting and taking possession of other portions of the continent.

The claim of England to her share of America began in 1497, when Cabot sailed with a commission from Henry VII., authorizing him "to seek out, discover, and find whatsoever isles, countries, regions, or provinces, of the heathen and infidels, whatsoever they be which before this time have been unknown to all Christians." Cabot touched upon Newfoundland and returned. This was the first visit of Englishmen to these shores, and there is no record that the Spaniard had then ventured north of the Bahamas. Columbus was still exploring these and the West India islands, and about this time fell in with the mainland or continent.

This early visit of Cabot has always been put forth by England to establish her title to possessions in America, although it was not immediately followed by possession being taken in her behalf by Englishmen. No attempt to settle an English colony in America seems to have been made, and perhaps no idea of doing so occurred to any one, until the lapse of three quarters of a century after the visit of Cabot. Then Sir Humphrey Gilbert and Sir Walter Raleigh, kindred in blood as well as in enterprise, of Devonshire, England, put forth their efforts to settle an English colony in America. The credit of originating this design and of carrying it out belongs to these illustrious men. I need not recount here the heroic efforts of these two men during the ten years which followed the granting of the commission to Gilbert, in 1578, by
the

the queen of England. The immortal Gilbert reached Newfoundland, took possession in the name of England, and while farther exploring the coast westward, his vessel sank beneath the waves, carrying him to an untimely grave just after he had passed the threshold of his great enterprise. Raleigh, a younger half-brother, succeeded Gilbert, and sent hither the first English colony. He gave the name of Virginia to the American territory claimed by him as part of the jurisdiction of England. Raleigh bestowed great labor and made great outlay of money on his enterprise of colonization in and about Roanoke Island. He failed, however, to establish a permanent English colony, and left his valuable experience and discoveries for others to make use of at a later period.

When King James I. succeeded Queen Elizabeth, at the beginning of the seventeenth century, England had no colonies existing in America. New France and New Spain were names that spread over North America. Virginia was an undefined territory on the Atlantic coast, still inhabited by savages and claimed by both Spain and France. England felt herself more an Islander than ever before. Peace had been made with Spain, and her fleets and armies were coming home and being disbanded. She was crowded, as was then thought, with population. Raleigh had then fallen under the displeasure of the new king, and was in prison, and was soon condemned to die.

At this juncture, two remarkable men turned public attention to English colonization in America. Lord Chief Justice Popham, an aged and famous judge, and Sir Ferdinando Gorges, a young man who had been all his life in the wars of Elizabeth, with some others of note and character

character, planned a method of colonizing Raleigh's Virginia in America. They procured of the king a royal charter for two great companies, authorizing them to possess this territory and hold it as part of the English empire. This memorable charter was granted April 10, 1606. One company was to have the northern part of Virginia, and the other the southern. Virginia was now bounded for the first time by the great circles of the heavens; it was declared to lie between the thirty-fourth and forty-fifth degrees of latitude.

The southern company sent out a colony to inhabit its grant, and Jamestown was founded and settled, the first permanent English colony in America. After some delay the northern company, in which Popham and Gorges were particularly concerned, sent a colony to occupy their grant. The colony, led by George Popham, brother of the chief justice, and by Raleigh Gilbert, son of the famous Sir Humphrey Gilbert, arrived at the mouth of the Kennebec river in 1607, and there established itself. A dreadful winter followed, with the death of the Lord Chief Justice and some others in England. These calamities almost destroyed this colonial enterprise. But Gorges refused to give up the plan of colonizing in these northern parts. He sent hither, to the coast of Maine, his vessels and agents, and kept up a connection with these parts until he persuaded others to join him in the enterprise of settling here an English colony. In the meantime Capt. John Smith, who had been one of the principal men in the southern colony, and who had been there two years, came to the parts assigned to the northern colony, in 1614, on a voyage of trade and fishing. Capt. Smith explored nearly all the coast within the limits of this colony

colony as defined by the charter of 1606, made a map of the same, wrote and published a description of the country. Smith did another thing which had no small effect in encouraging his countrymen to come hither: he named it New England, a name that was at once accepted and remains to this day.

All this time Gorges was collecting information of the country through his agents and through Indians whom his captains carried to him from these parts. He at last projected a new charter and a new plan of settling the country. This charter was granted by the king in the memorable year 1620. It is known as the New England charter, the territory granted lying between 40 and 48 degrees of latitude and the Atlantic and Pacific Oceans, and called *New England*. Gorges and his thirty associates were styled the "Council for planting, ruling and governing New England in America." None but "persons of honor and gentlemen of blood" were named as Councillors in the charter.

A new and energetic associate with Gorges in his New England enterprises now comes into view, and for many years after is a chief figure in New England history. Capt. John Mason, a young and enterprising man, had been in Newfoundland as governor of the plantation made there in 1611, and was now returned into England. He immediately joined Gorges in settling New England, and their joint enterprise succeeded.

The history of Capt. John Mason has never been written. Some years ago I discovered that I was descended from his chief agent, Ambrose Gibbons, who figures considerably in
our

our early history, particularly in that of New Hampshire. This led me to look after his principal, Capt. Mason, and I was amazed at the little that was known of him. Dr. Belknap, in his admirable American Biography, relates all he could find concerning him; and that is contained in a few lines, much of which I now find to be inaccurate. He is, of course, mentioned in that author's History of New Hampshire, but no new facts are given. He appears in one of the latest of American Biographical Dictionaries. He is scarcely mentioned in the Puritan literature of Massachusetts Bay of that time. The cause of this lies not very deep. Mason was a churchman and royalist, two things held in equal abhorrence by the Puritans. His agents and his colonists on the Pascataqua⁶ were of the same religious and political faith. The prejudice in New England against these opinions and those who held them has scarcely ceased to exist. I thank Heaven, a spirit of toleration now prevails that will allow the worthy founders and projectors of New England a hearing. Their names now stand forth in history, and their actions must be recounted.

Capt. Mason died in 1635, two centuries and a half ago. It is a good way back to find materials for his life, which extends into the reign of Elizabeth. I shall here recount briefly what I have discovered concerning him, and especially concerning his colonial enterprises.

Capt. John Mason was the only son of John and Isabella Mason, and was born in King's Lynn, an ancient seaport and parliamentary

⁶ Mr. Tuttle advocated and used this form of spelling the name. It is the form used by the Rev. Dr. Belknap, author of the *History of New Hampshire*, by John Farmer, the careful New Hampshire antiquary, and by other writers.

parliamentary borough of England, situated in the western part of the maritime county of Norfolk.⁶ How many generations of his ancestors resided there, I know not. His descent from Miles Maſon, his great-grandfather, is as far as I have traced his lineage. His paternal ancestors were respectable, and the family large. Of his maternal ancestors I know little. His mother's surname was Steed, of a Yorkshire family.

King's Lynn, or Lynn Regis, the name that has belonged to the birthplace of Maſon from the days of Henry VIII., is an ancient commercial town on the easterly bank of the Great Ouse river. For many centuries prior to the birth of Maſon, it was the first, or one of the first, commercial ports on the eastern coast of England. Its inhabitants were extensively engaged in trade and fishing. Their vessels were known in the Baltic, on the stormy coast of Norway, in the Hebrides, and even in Greenland. Its streets, exchanges, and wharves were daily thronged with persons engaged in every species of maritime adventure. There were mariners who had sailed on every sea, and experienced every peril that wind and wave could produce; there were also merchants experienced in every sort of traffic, who knew every vicissitude of fortune.⁷ Such was the current of daily life in King's Lynn during young Maſon's residence there. It was calculated to awaken, in a youth of his capacity, an interest

⁶ Col. Chester in subsequent researches for Mr. Tuttle found Maſon's baptism recorded on the register of St. Margaret's Church, King's Lynn, Dec. 11, 1586. No entries in relation to the father are found on the parish registers

after the baptism of his daughter Dorothy, Dec. 28, 1589; and Col. Chester suggests that he may have removed from Lynn Regis.

⁷ From King's Lynn, our Massachusetts Lynn was named. — T.

interest in foreign enterprise and adventure, and to stimulate a desire to become an actor in the commercial drama.

How Mason passed his years prior to 1610, I have not discovered.⁸ Dr. Belknap says he was a merchant in London, but I know not on what authority. However this may be, he had this year risen to distinction in the naval service of the king.

Among the schemes of reform undertaken by James soon after he came to the throne, was the restoration or establishment of Episcopacy in Scotland and the reduction of the Highlands and Isles of Scotland to one religious and political rule. In 1606 he restored the order of Bishops in Scotland. For the diocese of the Hebrides including the Isles, he selected a man of eminent ability and capacity and of great personal courage. Andrew Knox, bishop of the Isles, was worthy of his great namesake, the Scotch Reformer. His undertaking was more dangerous, if less important. The people of the Isles were then not half reclaimed from Celtic and Scandinavian barbarism. It was said by an English admiral who knew these people well, that "the Christian world could not show a more barbarous, more bloody, and more untamed generation" than inhabited the Hebrides at this time. To enable the bishop to exercise his ecclesiastical functions among this ferocious people, civil and military powers were given him by the king. In 1610 the bishop required the assistance of a naval force in settling the "Laws of the Realm of Scotland" in these Isles.

The

⁸ It is probable that he was matriculated at the University of Oxford when he was in his sixteenth year, but did not finish his studies there. *Vide* CAPT. MASON'S FAMILY, *post*.

The king sent to his assistance two ships of war and two pinnaces, all under the command of Capt. John Mason. It was agreed that Mason should fit out this little fleet at his own expense, and that the Earl of Dunbar, then treasurer of Scotland, should reimburse Mason on his return from that service, it being a charge upon the Treasury of Scotland. Capt. Mason proceeded with his little fleet to the "stormy Hebrides," where he remained fourteen months, assisting the bishop in subduing the rebellious Redshanks. The object of the expedition being accomplished, Mason returned to England to meet a great disappointment, one which must have been a turning period in his life. The Earl of Dunbar had died, before his return, without having provided money to pay Mason for his services and outlay in the expedition to the Hebrides. Mason's disbursement amounted to a large sum in those days, namely, £2,238. After some delay, King James granted him the assize of herring, due from Dutch fishermen on the Scottish coast. Scarcely was this done, when this British Solomon remitted the payment, at the request of the Dutch ambassador, who came to England bringing rich presents to the king's daughter, who had married Frederic, Elector Palatine. Mason got nothing for this but a promise of lands in Ireland, which, to use his own language sixteen years later, "took no effect." So late as 1629, a year memorable in the history of New Hampshire, Mason had not received one penny of this large sum due him in 1612. The debt, principal and interest, now amounted to £12,489 7s.⁹ In 1629 he applied to King Charles, setting out

⁹ *Vide* DOCUMENTS, *post*, 1629, Declaration.

out his services and loss in the expedition, for the place of General Remembrancer, which it seems that he now got.

The next we hear of Mason after his return from Scotland and his failure to get reimbursed his expenses through a rent on the fisheries, he is in Newfoundland, governor of a plantation begun there in 1610, while he was in the Hebrides. We conjecture that his failure to get his money had something to do with his removal to Newfoundland, although no more efficient man for that service could be found.

The Island of Newfoundland lay without the northern limits of Virginia granted in the charter of 1606. On account of the extensive fisheries carried on in these waters and the proximity of the island to England, it was judged fit that an English colony should be settled there. Accordingly in the year 1610, the king granted a charter to a company of Adventurers and Planters of the cities of London and Bristol, authorizing the establishment of a Colony in Newfoundland. Among the persons named in the charter are the Earl of Northampton, the Lord Privy Seal, Sir Lawrence Tanfield, Baron of the Exchequer, and the celebrated Sir Francis Bacon, the Solicitor General of England. The colony was despatched to Newfoundland the same year, with John Guy of Bristol, one of the associates, as governor. The settlement was on the north side of Conception Bay, near the inner extremity.

Capt. Mason became governor of this colony as early as 1615, and remained there about six years. During this time he thoroughly explored the island, especially its harbors and coasts and the numerous great bays, and became acquainted with

with the animals and vegetables of the island and some parts of its interior. He made while there a topographical survey of the island, and constructed a map which was engraved and printed, in 1626, in a very rare work entitled the "Golden Fleece."¹⁰ This is the first map of Newfoundland made from a survey, and approaches to accuracy. I know of no earlier map by an Englishman.

Nor is this all that Capt. Mafon did for Newfoundland. Being an intelligent and capable officer, and having English colonization at heart, he employed his pen in advancing the interests of Newfoundland. While there he wrote a tract entitled "A Brief Discourse of the Newfoundland," and sent it to his friend Sir John Scot of Edinburgh, to peruse, and to print if he thought it worthy. It was printed in the year 1620, a year memorable in the annals of New England, and seems to have been wholly unknown in America. I never saw a reference to it in the hundreds of volumes I have consulted. My attention was first called to it on the occasion of its reprint at Edinburgh by the Bannatyne Club. It contains a brief description of Newfoundland,

¹⁰ The author was William Vaughan, D.C.L. Mafon contributed to this work the following complimentary lines: —

*In Honour of the Golden Fleece, described
by Orpheus Iunior.*

O How my heart doth leape with Ioy to
heare,
Our *New-found Ile* by *Britaines* prized
deare!
That hopefull Land, which Winters fixe I
tri'd,
And for our Profit meet, at full descri'd.
If Home of Fame, of quiet Life, or Gaine

May Kindle Flames within our minds
again:
Then let us ioyne to seeke this *Golden
Fleece*,
The like ne're came from *Colchas* into
Greece,
Orpheus remoues all *Errours* from the way,
And how this *Land* shall thriue, he doth
bewray.
Thus ships & coine increase, whē least we
thought,
For *Fish* and *Traines* Exchange, and all
unbought.

JOHN MASON.

— *Golden Fleece*, part first. To the Reader.

Newfoundland, setting forth clearly the advantage and necessity of making it wholly a British province. It describes the climate, the products of the earth, the growth of European vegetables there, the greatness of the fishing interest and the mode in which it should be carried on. It would have been appreciated by Humboldt had it fallen in his way. It was mainly designed to interest the Scots in settling a colony in Newfoundland. Capt. Mason says that he wrote the "Discourse" at the request of friends, and for the "better satisfaction of our Nobilitie," that it is "unpolished and rude, bearing the countries badge where it was hatched, onely clothed with plainnesse and trueth."

In the spring of 1621, just before Mason left Newfoundland for England, the planters and fishermen of the several plantations made application to the king to send two ships to protect them from the pirates infesting that region, and to regulate the fishing, requesting that Capt. Mason be appointed the King's Lieutenant to command them. This appears to have been granted, for I find that Mason had a commission about this time from the Lord High Admiral. This shows the estimation in which Mason was held by the leading persons of Newfoundland, after many years' residence there. Hitherto he had been governor of an incorporated company; this made him a lieutenant of the king, with large powers and the jurisdiction of the whole island.

If Mason had not previously been in some personal relation with Sir Ferdinando Gorges, and I do not find any, he now, about this time, came to have official relations with him; for Gorges was one of the commissioners in England to regulate the fisheries in Newfoundland, and Mason must have

have come into relations with him as the King's Lieutenant and executive officer.

In the spring or summer of 1621, Mason returned into England,¹¹ and immediately found proof of the effect of his little tract which had been printed the year before. Sir William Alexander, afterwards Earl of Stirling, immediately fought him out. He had been appointed Gentleman of the Privy Chamber to Prince Henry, honored with Knighthood, and was Master of Requests for Scotland. He invited Mason to his house, where he discussed with him a scheme of Scotch colonization, and he resolved to undertake settling a colony in what is now Nova Scotia. He begged Mason to aid him in procuring a grant of this territory from the Council for New England, it being within their limits. Mason referred him to Sir Ferdinando Gorges, one of the Council and their Treasurer. The king readily recommended Alexander to Gorges, and Gorges heartily approved the

¹¹ Seven years after Capt. Mason left Newfoundland, Robert Hayman, who had also been governor of the island, addressed to Mason and his wife the following verses:—

*The foure Elements in Newfound-land.
To the Worshipfull Captaine John Ma-
son, who did wisely and worthily governe
there divers yeeres.*

The Aire in Newfound-Land is wholesome,
good;

The Fire, as sweet as any made of wood;
The Waters, very rich, both salt and fresh;
The Earth, more rich, you know it is no
lesse.

Where all are good, *Fire, Water, Earth,*
and *Aire,*

What man made of these foure would not
live there?

*To all those worthy Women, who have any
desire to live in Newfound-Land, specially
to the modest and discreet Gentlewoman
Mistress Mason, wife to Captaine Mason,
who lived there divers yeeres.*

Sweet Creatures, did you truly under-
stand

The pleasant life you'd live in Newfound-
land,

You would with *teares* desire to be brought
thither:

I wish you, when you goe, faire wind, faire
weather:

For if you with the passage can dif-
pence,

When you are there, I know you'll ne'er
come thence.

Quodlibets (1628), 2d Bk. p. 31.

T.

the plan. In September, 1621, Alexander obtained a Royal Patent for a tract of land which he called New Scotland, a name attractive to his countrymen. This must have been gratifying to Mason, who had urged Scotch emigration in his tract printed only a year before.¹²

The Council for New England, established in November, 1620, was now granting and ready to grant to associations or to individuals parcels of its vast domain in America.

The year 1622 is a memorable one in the history of the Council for New England, as in the history of New Hampshire. In that year the Council by effective means appealed to new and powerful interests in favor of colonization on these shores, and gave an impulse to emigration; and New Hampshire was carved from the vast territorial domains of New England, and a settlement projected within its limits. The President and Council, although beset by powerful opponents, at home and abroad, in parliament and out, made great efforts this year to carry out their design of establishing settlements. Among other things they issued a printed pamphlet,¹³ now of the greatest historical value and interest, containing a brief sketch of what had been done towards discovering and colonizing since the issue by King James of the great charter of Virginia in 1606; a description of the country and its commodities, a scheme for dividing

¹² For a full account of Sir William Alexander and his colonial enterprises see the volume entitled *Sir William Alexander and American Colonisation*, by the Rev. Edmund F. Slafter, which was issued by the Prince Society in 1873.

¹³ *A Briefe Relation of the Discovery and Plantation of New England.* London, 1622. This tract is reprinted in the *Collections of the Massachusetts Historical Society*, 2d Series, Vol. IX. pages 1-25.

dividing the territory into counties and baronies and smaller political divisions; a plan of general government over the whole, and soliciting those who looked with favor on the undertaking to join with them. "We have," they say, "made a most ample discovery of the most commodious country for the benefit of our nation that ever hath been found. . . . Further we have settled at this present several plantations on the coast, and have granted Patents to many more that are in preparation to be gone with all conveniency." They add that more than thirty vessels had already gone in that year, 1622, from the western parts of England to fish and trade.

The second patent for land granted by the Council was to Capt. John Mason, bearing date March 9, 1621-2.¹⁴ It was all the land lying between the Naumkeag and the Merrimac rivers, extending back from the sea-coast to the heads of both of these rivers, with all the islands within three miles of the shore. Mason called this *Mariana*. This tract of territory lies wholly within the present bounds of Massachusetts.

We now arrive at a period when Mason and Gorges have a joint interest in New England. On the 10th of August, 1622, the Council made a third grant.¹⁵ This was to Gorges and Mason jointly of land lying upon the sea-coast between the

¹⁴ I now have a full copy of the *Mariana* Patent, dated March 9, 1621-2, the first copy that appears to have been in this country. It will be printed in full among the Charters in this volume. Ambrose Gibbons is designated to put Capt. Mason in possession. From this

I infer that Gibbons was either in New England, or was intending to come hither soon. The first that we know of his being here is in 1630, when he was at Pascataqua. — T.

¹⁵ This document will be printed in full among the Charters in this volume.

the Merrimac and the Kennebec rivers, extending three-score miles into the country, with all islands within five leagues of the premises to be, or intended to be, called the *Province of Maine*. Thus was the territory destined seven years later to bear the name of New Hampshire, first carved from the vast domain of New England, whose boundaries were fixed by the great circles of the heavens. Thus was Capt. Mason joint proprietor of his territory afterwards known as New Hampshire, before a single settler had built a cabin on the Pascataqua. Capt. Robert Gorges, son of Sir Ferdinando, was authorized to give the grantees possession of this new Province.

Great enthusiasm on the subject of colonization now prevailed in England, extending from the king, through all ranks. The prospect of having a government over this lawless region induced many, who had something to risk, to embark in the enterprise. The king issued a proclamation full of encouragement to those having or designing to have interests in New England. The great work of colonization was now fairly undertaken.

Before the year 1622 closed, the Council issued many patents for land, in small divisions, to persons intending to make plantations. Among the grants, is one to David Thomson and two associates, of land on the Pascataqua. The bounds and extent of this patent are unknown. Only the fact that such a patent was granted is preserved.¹⁶ Thus

we

¹⁶ On the 14th of December, 1622, Thomson entered into an agreement with Abraham Colmer, Nicholas Sherwill, and Leonard Pomeroy, all of Plymouth, England, to join with him in colonizing the land of which he had just received a patent. The indenture, which was discovered since this memoir was written

we see clearly enough that the project of the settlement within the present territorial limits of New Hampshire originated in England during this year, 1622. The initiative movement is perceptible in these territorial grants to Gorges, Mason, and Thomson.

Early in the spring of 1623, David Thomson, a Scotsman and a "scholar and traveller," says one who knew him,¹⁷ led the first English colony to the shores of New Hampshire. Thomson was a man of capacity and enterprise, and had been in the service of the Council for New England, a fact which of itself shows him to have been a person of high and honorable character. To these wilds, hitherto visited only by a few transient navigators, and fishermen, he came with his little company, and sat down at a place which Levett calls *Pannaway*, afterwards called Pascataway, and Little Harbor. This is the first English settlement in New Hampshire, and the initial point of the history of the State. I do not forget that Hubbard is authority for making Dover as old as this settlement; but on looking over his several statements concerning the Dover settlement in his history, I do not find an agreement among them as to the time of Hilton's settlement there.¹⁸

Thus

written, is printed by Charles Deane, LL.D., in a paper read by him before the Massachusetts Historical Society, May 11, 1876, in which he gives a history of the first settlements on the Pascataqua river. The evidence seems to indicate that Thomson's settlement was the first. The paper is printed in the *Proceedings* of that Society, Vol. XIV. pp. 358-385.

¹⁷ Thomas Morton. See his *New*

English Canaan, 1637, p. 22; Prince Society's edition, 1883, p. 128.

¹⁸ Mr. Tuttle, a few years before his death, informed me that his later researches had led him to place more confidence in Hubbard's statements on this point. Since his death Mr. William B. Trask has discovered, among the Suffolk Court files, a document which supports Hubbard. It is a petition to the General Court of Massachusetts from

Thus the first settlement in New Hampshire, then known as a part of the Province of Maine, was auspiciously begun. All honor to Mason and Gorges, the great leaders in this enterprise! Looking back through two hundred and fifty years, to this little settlement on the Pascataqua, what an assemblage of historical associations rise before us!

The Council for New England, in view of the many intended settlements, as well as the few already made, now proposed to set up a general government in New England. Capt. Robert Gorges, recently returned from the Venetian wars, was appointed Governor, with Capt. Francis West, Capt. Christopher Levett, and the governor of New Plymouth as his Council. Capt. Gorges arrived here the middle of September, 1623, having been preceded some months by Capt. West, who was Vice-Admiral of New England as well as Councillor. Capt. Levett came as late as November, arriving first at the Isles of Shoals, and then sojourning a month with Thomson at Pannaway. During his stay with Thomson the weather was cold and the snow deep. Capt. Gorges came there, from Massachusetts Bay, and produced his commission, and Levett was qualified as councillor. Several other

from William Hilton, son of William Hilton, who with his brother Edward were the founders of Dover. The petitioner states that his father, William Hilton, came to New England in 1621, and that about a year and a half after, he himself arrived. "In a little tyme" they settled themselves, he says, upon the Pascataqua river, "with Mr. Edw: Hilton." We have evidence that William Hilton, senior, arrived at Plymouth in the *Fortune*, Nov. 11, 1621, and

was followed in the *Anne*, in July or August, 1623, by his wife and two children. One of these children must have been the petitioner. The document is undated, but was presented to the magistrates of the colony, May 31, 1660. It is printed in the *New England Historical and Genealogical Register* for January, 1882, Vol. XXXVI. p. 40, with an historical preface by Mr. John T. Hassam.

other members of the Council were present. It is probable that at this time Capt. Gorges delivered possession of the Province to his father and Mason, as was expressed in the patent to them, David Thomson being then and there authorized to receive it for them. Thomson was authorized to give Capt. Gorges possession of a tract of territory on the sea-coast between the Charles river and Nahant, which had been granted to him by the Council in December, 1622.

The little colony of which Thomson was chief was engaged in trade and fishing. It attracted to that place not only Indian traders, but all who were in these parts. It was known almost as soon as Thomson arrived at New Plymouth and at Nantasket. It is highly probable that the Pascataqua river was very soon explored, and that the country, for many miles round, soon became well known.

A stone structure was built for a dwelling-house, and was standing there more than fifty years later. It was known in later years as "Capt. Mason's Stone House." The site of this house is still pointed out at Odiorne's Point, Little Harbor. I have seen there what appears to be an ancient foundation, on the highest ridge of land on the Point.

When Thomson set out from Plymouth, England, Gorges was there, and undoubtedly encouraged the adventurer.

The next year, 1624, war between England and Spain broke out, and drew off for a while Gorges and Mason from their interests in colonization. Gorges was Captain of the Castle and Island of St. Nicholas, at Plymouth, a post that he had held for thirty years; and he was now wholly taken up with the duties of his office. Mason's services were required as a naval officer of experience.

When

When the expedition went against Cadiz, in 1625, under Viscount Wimbledon, Mason was Commissary General, having been appointed by the Lord High Admiral, the Duke of Buckingham.

In 1626 England plunged into a war with France, without having ended the war with Spain. Capt. Mason was advanced to be Treasurer and Paymaster of the English armies employed in the wars. There was no time now to think of American colonization. His duties were arduous; he was constantly called on, by the Naval Commissioners, to give advice regarding that service; he was often made a special commissioner to examine, and report on, the condition of the navy to the government.

In 1629 peace was made with France, and the war with Spain was coming to an end. No sooner were Gorges and Mason a little relieved from their public duties than they sprang at once to their old New England enterprise. They resolved to push forward their interests. They came to some understanding about a division of their Province of Maine. On the seventh of November, 1629, a day memorable in the history of New Hampshire, the Council granted to Mason a patent of all that part of the Province of Maine lying between the Merrimac and Pascataqua rivers;¹⁹ and Mason called it *New Hampshire*, out of regard to the favor in which he held Hampshire in England, where he had resided many years. Portsmouth was the chief naval station of England, and Mason lived there during the wars with Spain and France. The Duke of Buckingham, Lord High Admiral

¹⁹ This will be printed among the Charters in this volume.

miral of England, was assassinated in Mafon's house in Portsmouth.

Capt. Mafon did not probably recognize any physical resemblances between old Hampshire and his New Hampshire. In the quaint description of Hampshire by Thomas Fuller, written but little after this event, one may see some resemblances. Fuller says: "A happy country in the four elements, if culinary fire in the country may pass for one, with plenty of the best wood for the fuel thereof. Most pure and piercing the air of this shire; and none in England hath more plenty of clear and fresh rivulets of troutful water, not to speak of the friendly sea, conveniently distanced from London. As for the earth, it is both fair and fruitful, and may pass for an expedient between pleasure and profit, where by mutual consent they are moderately accommodated. Yet much of the arable therein is stony ground, though not like that in the Gospel where the grain grew up and withered so soon, 'having no deepness of earth,' this bringing plenty of corn to perfection."

The Council authorized Capt. Walter Neale, then about to proceed to New England, to give Mafon possession of the tract called New Hampshire. This grant had hardly been made when Champlain was brought to London, a prisoner, from Canada, by Kirke. The French had been driven from that region. Gorges and Mafon procured immediately a grant from the Council of a vast tract of land in the region of Lake Champlain, supposed to be not only a fine country for peltry, but to contain vast mineral wealth. The Province was called Laconia on account of the numerous lakes supposed or known to be there, and was the most northern grant

grant hitherto made by the Council. The patent bears date Nov. 17, 1629, only ten days later than Mason's New Hampshire grant.²⁰

In the spring of 1629 accident brought together Mason and Capt. Walter Neale, a soldier of repute and courage. They may have met before, as Neale had served not only in the Low Countries under Count Mandsfelt, but had been in the wars with Spain and France. Neale, like many others, had got but little pay for his services, and he was in distress for money. At length he was referred to Capt. Mason, treasurer of the army, for relief. The wars were now coming to an end, and Capt. Neale needed future employment as well as money.

Gorges and Mason, having taken out the patent of Laconia in the autumn, needed some one to lead their men to this wilderness, as soon as winter was over. They agreed upon Capt. Neale. In the spring of 1630 Neale and Ambrose Gibbons, another chief in this enterprise, set out from England in the bark *Warwick* for the Pascataqua, where there was probably a small colony. Neale undoubtedly put Mason in possession of New Hampshire, as he was authorized to do by the Council. Neale built fortifications to command the Pascataqua and granted lands to settlers, and for three years was the chief man on that river. He seems to have done nothing, although he made attempts in discovering and exploring Laconia. The treaty with France in 1632, however, restored all Canada to the French.

For the purpose of advancing the interests of Gorges and
Mason

²⁰ This will be printed among the Charters in this volume.

Mason in Laconia as well as on the Pascataqua, they joined with them six merchants in London, and received from the Council a grant dated Nov. 3, 1631, of a tract of land lying on both sides of the Pascataqua river, on the sea-coast and within territory already owned by Gorges and Mason in severalty. This patent, called the Pascataqua Patent,²¹ covered, on the west side of the river, the present towns of Portsmouth, New Castle, Rye and part of Greenland; on the east side, Kittery, Eliot, the Berwicks, and the western part of Lebanon. Captain Cammock and Henry Josselyn were authorized to give the patentees possession of the territory. No name is given it in the patent.

This new association put new life into the Pascataqua colony. Planters, traders, and fishermen made their way thither. Houses were built and lands were cleared. There was a constant influx of new settlers.

The scanty returns from the trade established by the association soon dissatisfied the merchants, and hardly two years elapsed when a dissolution took place and a division of the stock and lands was made. On the east side of the river Mason was allowed, for his share of the land, all above the
little

²¹ It appears from a copy of the Piscataway Patent dated Nov. 3, 1631, just discovered by Col. Chester, that the tract of land granted covered Portsmouth, Newington, Greenland, New Castle, and Rye. This is in direct conflict with the Swamscot Patent, as regards Newington and Greenland, or a part of Greenland, and is undoubtedly the reason of the encounter at Bloody Point between Wiggin, representing the Swamscot Patent, and Neale,

representing the Piscataway. The contest was at Newington, about land there. — T.

The copy of the Patent of Nov. 3, 1631, was sent to Mr. Tuttle by Col. Chester, Aug. 10, 1871. In the summer of 1874, Mr. John S. Jenness visited England and obtained another copy, which he printed in the appendix to his *First Planting of New Hampshire*, pp. 82-84. The patent will be printed in this volume.

little Newichwannock river, about fifteen miles, and one quarter of a mile below. The lands on the west side, with the Isles of Shoals, were to remain in common at the time this division was made.

In the spring of 1634 Mason sent over Henry Josselyn as his agent, with a number of men to build a new saw-mill and a grist-mill at Newichwannock, or rather at a small fall at a place called by the Indians Assabenbeduck, on the little Newichwannock river, now South Berwick. These appear to be the first mills set up on the Pascataqua river. Francis Small, an Indian trader, affirmed this to be so about two hundred years ago. Mason had hitherto derived no profit from his efforts at colonization. In a letter to Ambrose Gibbons, his old and faithful agent, written in 1634, he says that he had never received a penny for all his outlay on his plantation in the Pascataqua. This, however, did not deter him; and to the latest days of his life, now drawing to a close, his thoughts and his efforts were directed to this enterprise.

In 1634 Mason was appointed Captain of the South Sea Castle, an ancient fortress commanding the entrance to the harbor at Portsmouth, England. This was a very important office. Most of such castles were commanded by noblemen of military skill, and who were well affected to the Sovereign. Mason's old associate, Sir Ferdinando Gorges, had commanded the castle at Plymouth, but had now retired from it. About this time Mason was appointed by the Admiralty to visit annually the Forts and Castles in England, and make a report to the government.

While in the Hebrides, in 1611, he became acquainted with the fisheries there, and saw the fitness of the Isle of

Lewis for a fishing station. The Dutch then did all or nearly all the fishing there, paying for a license. In 1629 Mason planned a scheme for purchasing the Isle of Lewis, and for sending as many as two hundred vessels there to fish. In 1633 this ripened into the granting by the king of a charter styled "An Association of the three Kingdoms for a General Fishery." Capt. Mason was one of the Council and its Treasurer. The members of this association comprised some of the highest of the nobility and great officers of state, as the Duke of Portland, the Earl of Rutland, the Dukes of Buckingham, Attorney General Noye, and others. For the encouragement of this enterprise it was ordered that the royal navy should be supplied with fish by this company, that Lent should be strictly observed, and that there should be no importation of fish. Mason was the leading spirit in this enterprise, which originated with him, and while he lived was thriving and prosperous. The king was often present at the meeting of the Council.

In June, 1632, Mason was elected a member of the Great Council for New England, composed, as we have seen, of "persons of honor and even of blood;" and in the November following, became Vice-President of the Council, the Earl of Warwick being then President. The Council often held meetings at Capt. Mason's house in Fenchurch street in London. This elevation shows the high estimation put on Mason by some of the foremost persons in England.

Early in 1635 the Council for New England became satisfied of its inability to control affairs in New England. It had long had enemies at home as well as here. There was an unwillingness to recognize the powers granted by the
the

the Sovereign in the nature of government, and it had no strength to enforce its decrees. The Colony of Massachusetts Bay had become large and powerful, and disregarded all authority, kingly as well as other, as far as they thought it prudent. Complaints against the Council were constantly made to the Privy Council, and they were cited to answer. They determined thereupon to surrender their great Charter to the king, and to divide the whole territory of New England among themselves. Pursuant to this resolve, Mason received a new grant from the Council, dated April 22, 1635,²² of the lands hitherto granted to him by the Council. This grant embraced all the land between the Naumkeag and Pascataqua rivers, extending threescore miles inland, with the south half of the Isles of Shoals, to be called New Hampshire; also a further grant of ten thousand acres on the west side of the Kennebec river, to be called *Masonia*. Henry Josselyn and Ambrose Gibbons, both then on the Pascataqua, were authorized to give Mason possession of this new grant.

We must not forget to mention another grant of the Council for New England, which seems to conflict with Mason's grant of New Hampshire. The patent, or rather a copy of it, has been discovered by the Hon. Charles H. Bell, and we now know for the first time its terms. It bears date March 12, 1629-30, and the grant is made to Edward Hilton. It is commonly called the Swamscot Patent,²³ and covered the lower end of Dover Neck, where the first
settlement

²² The Charter will be printed in this volume.

²³ Printed in the *New England Historical and Genealogical Register*, Vol. XXIV. pp. 264-266.

settlement was made, namely, Newington, Greenland, Stratham, and some part of Exeter. All this lies in New Hampshire, which had been granted to Mason less than four months preceding. It cannot be supposed that such a grant was made without Mason's knowledge and consent. It proved, however, an entering wedge to defeat and dispossess his heirs of New Hampshire. Hilton had already begun a settlement at Dover, within its limits, and contemplated an enlargement. There may be in this a sufficient consideration for Mason to consent to the grant, and he may have previously executed a release of that tract for this purpose. It is obvious that any settlement, however small, in a wilderness advances the interests of the neighboring proprietors. The most notable occurrence on it in early times seems to have been a quarrel between Mason's agent, Capt. Neale, and Capt. Wiggin. The scene of this quarrel has ever since been known as "Bloody Point," and is in the town of Newington. Each claimed land there, by what title it is not certain as regards Wiggin.

On the surrender of the New England Patent in 1635, it was the design of the king to set over that territory a general Governor, and Sir Ferdinando Gorges received the appointment. To complete the viceregal government, Capt. John Mason was appointed, October 1, Vice-Admiral²⁴ of
New

²⁴ "A vice-admiral then represented, in his particular district, the chief of the naval administration. He was himself judge as well as administrator and captain. He pressed men for the public service at sea. He boarded pirate ships; decided upon the lawfulness of prizes; adjudged salvage claims for

wrecks; and, in return for his charges and exertions, divided his various seizures and fines with the Lord Admiral. A necessary condition of his Patent was the rendering account of such fines, seizures, and other emoluments at stated times." (*Forster's Eliot*, Vol. I. p. 37.) — T.

New England. This was a very great design, and had it been carried out who can say what would have been the history of New England to-day?

Gorges never came to exercise his office in New England. Mason made every preparation to come to New Hampshire, looking forward to a visit to his plantations as well as to the charge he had undertaken. In November he was taken ill, and died early in December, 1635, an event that proved disastrous to his interests in New England, which fell, by the terms of his will, to his widow and to his grandson, then not one year old. The death of so energetic a churchman and royalist was regarded as a divine favor by the Puritans of Massachusetts Bay.

The last year of Mason's life was the busiest in his whole career. What he had so long struggled for seemed about to be given him. He was this year one of the Judges of the Court of Oyer and Terminer for his county, Hampshire, and came near being Judge of the Court of Vice-Admiralty for that shire. His cousin, Dr. Robert Mason, obtained this last position. The Duke of Portland, Vice-Admiral, had recommended the appointment of either Capt. John Mason or Dr. Robert Mason.

Capt. Mason's will, dated Nov. 26, 1635, is a very interesting document, and will never cease to hold a high place in the early history of New Hampshire. It shows his latest thoughts and plans regarding his province, and that it was his greatest worldly concern. He calls to remembrance a large number of his kindred and friends, and also his birth-place and Portsmouth, and bestows gifts on all. To his young grandchildren, the eldest only seven years old, he devises

devises the province of New Hampshire, and on certain contingencies to Dr. Robert Mason. He authorizes his brother-in-law, Sir John Wollaston, afterwards Lord Mayor of London, and his wife, Anne Mason, with all speed after his decease, at the charges of his estate, in due form of law, to "settle and convey one thousand acres of the said land to some feoffees in trust and to their heirs forever, for and towards the maintenance of an honest, godly and religious preacher of God's word in some church or chapel or other public place that shall be appointed for divine worship and service within the said county of New Hampshire." He also authorizes the same persons to convey in trust another thousand acres of land towards the maintenance of a Free Grammar School for the education of youth in some convenient place within the said county of New Hampshire.

He directs that he should be buried in St. Peter's Church, London, that great mausoleum of kings, princes, and nobles. That he was worthy of such a sepulchre no one can doubt who will survey his actions without prejudice. His name belongs to two worlds. But for the religious and political prejudice of the times, and especially the Puritanic element of New England, his fame had long since spread far and wide. If the highest mortal honor belongs to founders of states, as Bacon has declared, then Mason deserved it. To seize on a tract of the American wilderness, to define its limits, to give it a name, to plant it with an English colony, and to die giving it his last thoughts among worldly concerns, are acts as lofty and noble as any recorded in the history of colonization. Such achievements awaken our admiration and deserve our homage. Cheerfully
then

then do we place the name of Mason at the head in the annals of New Hampshire, and bespeak for it everlasting remembrance and honor.

Capt. John Mason married Anne, second daughter of Edward Greene, a goldsmith and citizen of London. She was sister to Rebecca, wife of Sir John Wollaston, Knt., Lord Mayor of London in the year 1644, and alderman and sheriff. He is the same person whom Mason mentions in his will as his brother-in-law John Wollaston, to whom he confides important trusts in certain contingencies. Joshua Greene, a brother of Mrs. Mason, was, in the years 1637, 1652, and 1659, Mayor of King's Lynn, Mason's birthplace and the home of the Greene family. Mrs. Mason survived her husband twenty years, dying in 1655. She was the executrix of his will, and entitled to all the profits of his estate during her life.

Capt. Mason had but one child, a daughter Anne, who married Joseph Tufton, a connection of the noble family of Tufton of Suffex. Three sons and two daughters were born of this marriage, and were the only representatives of Capt. Mason. All except the eldest, who died young, are mentioned in Capt. Mason's will. The history of these grandchildren forms a subject of great interest, three of them being the devisees of Mason's vast estates in New England. The eldest was only seven years old at the time of Mason's death.

John Tufton, the eldest son, died before he became of age, and his interest passed to his brother, Robert Tufton, who came to New Hampshire in 1680 and was a member of the Provincial Council. He was also of the Council of Dudley
and

and Andros during the union of the New England States. Robert Tufton took the surname of Mason, as required by the will, in order to take the property of his grandfather. He died suddenly at Kingston, N. Y., Sept. 6, 1688, leaving descendants. To the efforts of Robert Mason New Hampshire is indebted for her independent existence for two hundred years.

Anne Tufton, to whom Capt. Mason devised Masonia, married Dr. Richard Gibbon, originally of the County of Kent, and of the same family with the illustrious historian of the Roman Empire.²⁵

²⁵ This memoir was prepared by Mr. Tuttle for the New Hampshire Historical Society, and was delivered before it as an Address at the annual meeting in Concord, Wednesday evening, June 14, 1871. It was repeated, in Boston, Mass., before the New England Historic Genealogical Society, at its quarterly meeting, Wednesday afternoon, April 3, 1872, and perhaps was subsequently delivered

before other historical societies. The text of the memoir here printed is the address delivered in 1871 at Concord, except that in the last two pages there are a few new genealogical facts, which Mr. Tuttle added in 1872, before he delivered the address the second time, and that the editor has made some slight changes which were needed to adapt it to the present work.





THE
FAMILY OF CAPTAIN JOHN MASON.

CAPT. JOHN MASON was the son of John Mason, of King's Lynn, in Norfolk, whose father was William, and his grandfather, Miles. Of his father, John Mason, little has been ascertained. Col. Joseph L. Chester, LL.D., D.C.L., who made researches concerning this family for Mr. Tuttle, found at King's Lynn the record of the baptism of three of his children. In the old lists of the "Freemen" of that borough he found the following entries relating to a person or persons of his name, though we have no proof that either entry refers to him : —

1565, John Mason apprentice to Tho. Wilkynson, Tailor.²⁶

1575, John Mason 50^s paid 50^s Mich^a £5.²⁷

Mr. John Mason,

²⁶ That is, John Mason became a freeman regularly, after serving the due course of apprenticeship to a tailor. — *MS. letter of Col. J. L. Chester.*

²⁷ That is, this John Mason purchased his freedom, as it was called, and paid £2 10s. down, and was to pay £2 10s. more the next Michaelmas. This was a good deal of money in those

days, equal at least to £50, or \$250, now, and only well-to-do people could afford thus to purchase the freedom of a city or borough. It is quite probable that this was Capt. John's father, but it is of course impossible to be positive about it. — *MS. letter of Col. Joseph L. Chester.*

Mr. John Mafon, of King's Lynn, married, probably in Yorkshire, Ifabel Steed, of that county. No record of the marriage has yet been found. The baptisms of the following children are on the parish register of St. Margaret's Church, Lynn Regis:—

1583, Dec. 1, Sara Mafon, dau. of John.

1586, Dec. 11, John Mafon, son of John.

1589, Dec. 28, Dorothy Mafon, dau. of John.

There are other baptisms on this register of persons named Mafon, but none of them are children of John.²⁸

Col. Chester thinks, from the absence of later records in relation to Mr. John Mafon, at King's Lynn, that he removed from that place, and suggests Portsmouth as the town where he probably settled. He and his wife were probably dead in 1635, when his son, Capt. John Mafon, made his will, as there is no mention of either of them in it.

Capt. John Mafon was, there seems to be little doubt, at one time a student at the University of Oxford. Mr. Tuttle having suggested to Col. Chester that he was a University man, the latter writes, under date of 16 March, 1872:—

I think you are right about Mafon's being a University man. I find that "John Mafon" matriculated at Magdalen College, Oxford, 25 June, 1602, aged 15 (that is, at last birthday) as "Pleb. fil." (that is,

²⁸ There are two other old parishes in Lynn Regis, namely, All Saints and St. Nicholas. In the Register of All Saints, Col. Chester did not find the name of Mafon in the period which he searched. In that of St. Nicholas he found a number of entries relating to that surname. There are no indications, however, that these persons were related in any way to Capt. John Mafon.

is, paid the fees of a plebeian's son), and as of the county of Southampton. There is no other record of him at Oxford, and the names of parents were not given in the matriculation register at that period. I have no doubt this was Capt. John Mason. It will account for his subsequent allusions to Portsmouth, and will explain why his father's family disappeared from the registers of Lynn: they probably removed to Portsmouth. John, from the date of his baptism at Lynn, would have been fifteen years old about December, 1601. I have copious extracts from the Portsmouth registers, which I searched years ago; but unfortunately none exist earlier than 1654, so that nothing is to be hoped from them.

Capt. John Mason was married in 1606, when he was in his twentieth year. The marriage is recorded in the parish register of St. Margaret's, King's Lynn, as follows:—

1606, Oct. 29, John Mason with Ane Greene, d. to M^r Edward, of London, Goldsmith.

Of his father-in-law, Edward Greene, little has been ascertained, except that he was a goldsmith in London, as stated in the parish register, and that he died in 1619 or 1620.²⁹ A sister of Mason's wife, Rebecca, married Sir John Wollaston.³⁰

Col. Chester,

²⁹ Edward Greene, of St. John Zachary, London, Goldsmith. Will dated 12 Jan. 1618-19, proved by his wife Anne, 14 Jan. 1619-20. My dau. Sarah, wife of Joshua Greene of King's Lynn, Linen Draper; my dau. Anne, wife of John Mason; my dau. Elizabeth, wife of Edward Lambert of Banstead, co. Surrey, Gent.; my dau. Rebecca, wife of John Wollaston of London, Goldsmith; my sister Margaret Wood dwelling in Bush Lane, London. No other

persons mentioned. — *Abstract by Col. Chester in MS.* Joshua Greene, who married his daughter Sarah, was an Alderman of King's Lynn. His will was dated 29 June, and proved 21 Nov. 1646. His wife Sarah was living. — *MS. letter of Col. Chester.*

³⁰ John Wollaston was a citizen and goldsmith of London; Alderman of London, Sheriff in 1638, and Lord Mayor in 1643. He was buried at Highgate, Middlesex, 29 April, 1658. His

Col. Chester, the result of whose researches forms the basis of this chapter, says of Capt. Mason, "his origin was doubtless humble," adding that "he was made a gentleman by having arms granted to him." A tricking of these arms, a facsimile of which is given in the margin, was sent to Mr. Tuttle by Col. Chester, with this information about it: "There is a record in one of the volumes of Miscellaneous Grants in Heralds' College, that these were his arms, but the original grant is not to be found. The mullet in the chief should be much smaller" than in the tricking, "as it is only indicative of difference. The arms are blazoned thus:



"Argent, a fess azure, in chief two lions' heads coupé of the last, a mullet fable for difference. Crest, a lion's head coupé azure charged on the breast with a mullet or between two wings argent.

"The mullet of course indicates that Capt. Mason was the third son."

The facts in the life of Capt. Mason, given in detail in the preceding memoir, need not be repeated here.

He died in November or December, 1635. He directs in his will that his body be buried in the Collegiate Church of St. Peter, in Westminster, but his name does not appear in the

Register

His wife Rebecca was also buried there 1 June, 1660. In her will she mentions "my niece Mrs. Anne Ashurst, daughter

of my late sister, Mrs. Anne Mason, deceased." — *MS. letter of Col. Joseph L. Chester.*

Register of Burials of that church. The probability is, however, that he was buried there.²¹ His wife survived him, and died in the year 1655.

His

²¹ Col. Chefter writes to Mr. Tuttle under date of March 9, 1871: "It is not impossible that he was buried there, and there are some good reasons for supposing that he was.

"In the first place, the Abbey Register for this period is, and professes to be, imperfect. The old register was evidently purposely mutilated after the Restoration for the purpose of getting rid of the entries in it relating to the family of Cromwell, and those of his associates who had been buried there. The bodies of many of them were at that time dug up and thrown into a common pit in the churchyard. The same spirit evidently led to the mutilation of the registers. About 1661 one of the officials of the Abbey, as is distinctly stated in the commencement of the earliest volume, collected together the fragments and transcribed the entries as well as he could. I know from abundant proof that quite a number of persons were buried in the Abbey whose names do not appear in the Register. It does not follow, therefore, that because Capt. Mason's name does not appear, he was not buried there.

"In the second place, if not buried in the Abbey, where was he buried? You will notice that in his will he is described simply as 'of London.' But in the Probate Act Book, where a separate record of all probates was kept, and in which the parish in which the testator died is usually given, he is described as *of the City of Westminster*. He was doubtless ill at the date of his will, and died shortly after, as there was an interval of only twenty-six days between the date and the probate. It does not seem likely that he would have

been moved during his illness, and the words of the Probate Act are sufficient evidence that he died in Westminster. Now, if not buried in the Abbey as he directed, and unless carried away to be buried in the country, he ought to have been buried either in St. Margaret's, Westminster, or St. Martin's-in-the-Fields, then the only two churches in the *City of Westminster*. I have carefully examined the parish registers of both, and can safely say that he was not buried in either. This leads to the presumption that the direction in his will was obeyed.

"Then again, on the preceding 27th of March (1635), was buried in the Abbey the Rev. Dr. Edmund Mason, then Dean of Salisbury. He had been tutor to Prince Charles, afterwards King Charles II., and died at his house in Petty France, a district of Westminster. He left no will, but his estate was administered on the 16th of June following by his 'brother Thomas Mason, Esq.' Dr. Mason became Dean of Salisbury, 20 March, 1629-30, and died 24 March, 1634-5. Now, you will notice that Capt. John Mason mentions his 'cousin Thomas Mason, Gent.' Was not this the same as the Thomas Mason who administered on the estate of his brother, Dr. Mason? Dr. Mason appears to have been unmarried, and it is quite probable that this Thomas Mason was the real occupant of the house in Petty France, and that both the Doctor and the Captain died under his roof.

"Of course this is to a great extent conjecture."

For further information concerning the mutilation and deficiencies of the Abbey

His only daughter, Anne, married Joseph Tufton, of Betchworth, Surrey, son of John Tufton, of Peasmarsh, Suffex. Their marriage license, dated June 27, 1626, is recorded in the Bishop of London's Registry. Joseph Tufton must have died before February, 1654-5, when Mrs. Mason made a nuncupative will,⁸² as his wife then bore the name of Ashurst. Who Mr. Ashurst, her husband, was, we have not ascertained. Mrs. Anne Ashurst was living, May 13, 1659, when her aunt Mrs. Rebecca Wollaston made her will. Joseph and Anne Tufton had five children, namely, Mason, Anne, John, Mary, and Robert, as will be seen in the tabular pedigree which will be appended to this chapter. The last four were living when their grandfather, Capt. Mason, made his will.

Robert Tufton, the youngest child, was born late in the winter or early in the spring of the year 1635. This is a later date than is usually given. Farmer, in his edition of Belknap's New Hampshire, page 253, states that he was fifty-six years old when he died, which would make him born in 1632. Other authorities call him fifty-nine when he died. If so, he would have been born about the year 1629. The author of the "Narrative of the Claim, Right, and Title of the Heirs of the late Hon. Samuel Allen" seems to have thought so; for on page 4 of that work it is stated that

"Robert

Abbey registers, see Col. Chester's preface to his *Westminster Abbey Registers*, published by the Harleian Society in 1875.

⁸² I have a note of a nuncupative will of Anne Mason, the Captain's widow, made in or about 20 Feb. 1654-5. It merely states that on being asked by

Mrs. Anne Ashurst, alias Mason, how she would dispose of her goods, and who should be her executor, she replied that her grandson, Robert Mason, alias Tufton, should be her sole executor. He administered on her estate, 12 November, 1655. — *M.S. letter of Col. Joseph L. Chester.*

"Robert Mason came not of age before the year 1650." The year which we adopt is deduced from a statement in the "Title of Robert Mason," a document which, if not drawn up by Mason himself, must have had his sanction. It is there stated that Robert Mason was only nine months old when his grandfather Mason died.⁸³ This would make him born early in 1635. The pedigree in the "Visitation of London," 1633, shows that he was not born at the date of that visitation. In this pedigree, which is signed by Capt. John Mason himself, the name of Robert does not appear among his Tufton grandchildren, though the names of the other children in this family, Mason, John, Ann, and Mary, are given.⁸⁴

On the 12th of November, 1655, Robert administered on his grandmother Mason's estate. He then bore the surname of Mason, which his grandfather's will required him to take. He married Elizabeth, daughter of William Taylor, of Bradley, in Hampshire, by whom he had at least three children, namely, John, born about 1659, Robert, and Elizabeth.⁸⁵ He came to New England in 1680. While in this country he was active in pressing his claims to his New Hampshire inheritance. He was a member of the Council of the Province of New Hampshire, and also of the Council of New England, under President Dudley and Governor Andros. He died at Esopus, a village in Kingston, New York, Sept. 6, 1688, while visiting, with Sir Edmond Andros, the New York settlements. His sons, John Tufton Mason and Robert Tufton

⁸³ *Vide Title of Robert Mason*, in *New Hampshire Documents*, by John S. Jenness, 1876, p. 78.

⁸⁴ *Harleian Society's Publications*, Vol. XVII. p. 85.

⁸⁵ *Visitation of London*, 1664.

Tufton Mason, sold their claim to New Hampshire, April 27, 1691, to Samuel Allen. The eldest, John, is said to have died unmarried in Virginia.

Robert Tufton Mason, the second son of Robert Mason, married Catharine, daughter of Thomas Wiggins.⁸⁶ He was lost at sea, in the year 1696, leaving two children, Elizabeth and John, neither of whom used the surname Mason. Elizabeth Tufton married Walter Philbrick, who died in 1732; and after his death she married the Rev. William Allen, of Greenland, New Hampshire. Descendants of Capt. Mason through her are now living.⁸⁷

John Tufton, of Portsmouth, son of the preceding, married Susanna Moffett, of Boston. The date of the publication of their intended marriage was Oct. 31, 1710. Their children, all born in Boston, were: (1) John, born April 27, 1713; (2) Robert, born June 10, 1716; (3) Thomas, born June 12, 1718. Capt. John Tufton, the father, died in Havana, in 1718; and his widow, Susanna, married, April 21, 1720, Thomas Martin.⁸⁸

John Tufton, the eldest son of the preceding, born April 27, 1713, in order to sustain his claim as the heir to Mason's rights in New Hampshire, added the surname Mason soon after he became of age, and was known as John Tufton Mason. He sold his claim to that property to the Masonian Proprietors in 1746. Late in life he removed to Buckden,

⁸⁶ *Vide Wentworth Genealogy*, by John Wentworth, LL.D., 2d ed. (1878), Vol. I. pp. 175, 176.

⁸⁷ *New England Historical and Genealogical Register*, Vol. XXXVIII. p. 286.

⁸⁸ Thomas Martin, by his wife Susanna, widow of Capt. John Tufton, had at least two children, — Susanna, born Jan. 20, 1724, and Samuel, born June 10, 1726.

den, England,³⁹ and died there Aug. 8, 1787. He married Maria Therefa Van Harts Bergen, and had two children,— Sarah Catharine, who married Samuel Moffatt,⁴⁰ and Anne Elizabeth, who married Peter Livius.⁴¹

Thomas Tufton, of Boston, the youngest brother of the preceding, married, first, Sept. 7, 1744, Elizabeth Gooding. She died Aug. 18, 1760, and Mr. Tufton married, secondly, Feb. 26, 1762, Anne True, who survived him. He died in 1762. His children by his first wife were, (1) Elizabeth Tufton, born Jan. 2, 1746, who married, first, Benjamin Seward, July 4, 1765; secondly, Benjamin Curtis, June 27, 1769; and third, Elias Tuckerman, Sept. 19, 1779; (2) Thomas Sackville Tufton, a trader of Groton, Mass.; (3) Susanna Tufton, who married a Mr. Mullin, and in 1797 was a widow residing at Halifax, Nova Scotia. Thomas Tufton, by his second wife Anne, had a posthumous son, John Mason Tufton, born March 6, 1763.

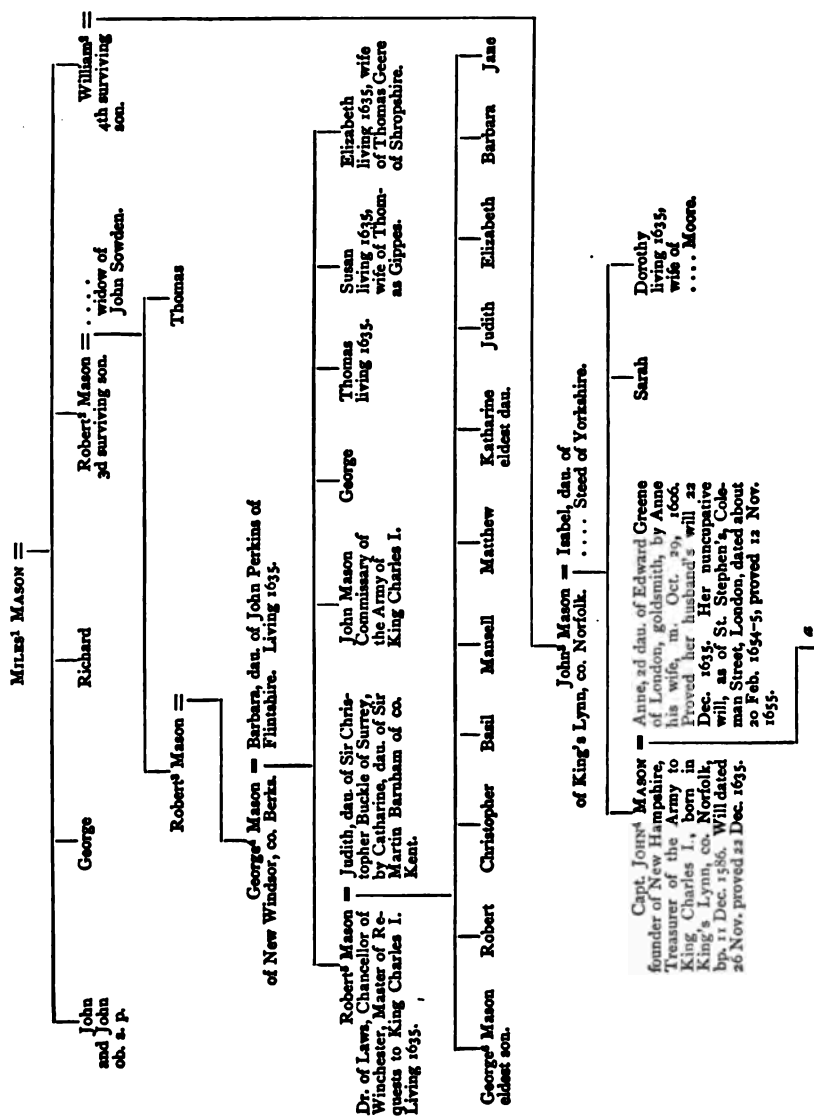
A tabular pedigree is appended. It is based upon one drawn up for Mr. Tuttle in April, 1871, by Col. Chester, from the "Visitations of London," 1634 and 1664, a volume called "Vincent's Surrey," another known as "2 D. 14," and other records, all in the Heralds' College. Wills, parish registers, &c., in his own collections were also used by him in compiling the pedigree.

Miles Mason

³⁹ Thomas Martin, of Portsmouth, N. H., advertised in 1787, that John Tufton Mason, formerly of Portsmouth, now of Buckden, Great Britain, and Mary his wife, had made him their attorney to transact business in the United States. See advertisement in the *New Hampshire Mercury*, May 24, 1787.

⁴⁰ See an account of their descendants in Brewster's *Rambles about Portsmouth*, 1st Series, p. 130.

⁴¹ See sketches of Peter Livius in Brewster's *Rambles about Portsmouth*, 1st Series, p. 131; 2d Series, 1869, pp. 78-83; and Sabine's *American Loyalties*, 2d ed., 1864, Vol. II. pp. 22, 23.



Joseph Tufton = Anne^d Mason dau. and heiress = . . . Ashurst, sd husband.
of Betchworth, Surrey. | was sd wife to Joseph Tufton, mar.

... was 3d wife to Joseph Tufton, mar-
riage license dated 27 June, 1626; re-
married . . . Ashurst before 20
Feb. 1654-5. Living 13 May, 1659.

**Mason
Tufton
d. young.**

Robert⁶ Tutton alisa Mason
of London, born 1635.
Took the surname of Ma-
son under grandfather's
will. Proved grandmother's
will 12 Nov. 1655. Came
to N. E. 1680; died at
Kingston, N. Y., Sept. 6,
1688, a. 53.

Elizabeth, dau. of
William Taylor
of Bradley, co.
Southampton, Esq.

Anne, eldest dau.
aged 6 y'rs in 1633,
m. 6 Jan. 1647-8 at
the Church of St.
Augustine, Lon-
don. Adm. on hus-
band's estate. Liv-
ing 13 May, 1659.

Richard Gibbon
and son of Thomas Gibbon of Westcliffe, co. Kent, Esq., bp. 12 June 1624, was of Kingston, co. Kent, and of London, Doctor of Medicine. Died in St. Olave's, Hart Street, London, and adm. granted on his estate 11 Oct. 1652.

John? Tufson alias Mason
eldest son and heir, aged
5 years in 1664, came to
N. E. with his father.
He with his brother Rob-
ert sold, in 1691, N. H.
interest to Samuel Allen.

Robert Tufton — Catharine
alias Mason, Wiggin
came to N. E.
with his father;
died at sea, in
1606, leaving 2
children.

**Elizabeth
Living 1664.**

Dorothy
died unm.

Anne married Rev. John Stoning of Blackfriars, London. He

Elizabeth married Peter De la Pierre of Blackfriars in Canterbury, Kent. He died 1697.

Elizabeth⁸ Tufon m. 1st, Walter Phil-
brick; m. 3d, the Rev. William Allen.

Johns Tufon = Susannah Mosset = Thomas Martin, 2d husband,
died in Ha- pub. Oct. 31, 1710, m. April 21, 1720.
vana. 1718. m. May. 1711.

Col. John Tufston⁹ Mason born in Boston, Mass., April 29, 1713, died at Buckden, Eng., Aug. 8, 1787. Sold title to lands in N. H. to the Masonian Proprietors in 1746, claiming that the sale to Allen conveyed only a life interest.

**Maria Theresa Van
Harta Benzen.**

Robert T.
b. June 10,
1716.

1st w. Elizabeth = Thomas⁹ Tufton = 2d w. Anne True,
Gooding, m. Sept. 7, b. June 12, 1718, m. Feb. 26, 1762.
1744. d. Aug. 18, 1760. d. 1762.

John Mason²⁰ Tufon,
b. March 6, 1763.

Thomas Sackville¹⁰ T.
of Groton, Mass.

Sarah Catharine married Samuel Moffatt.

Anne Elizabeth married Peter Livina.



CAPTAIN JOHN MASON'S PATENT OF MARIANA.

By CHARLES LEVI WOODBURY.



THE Patent of Mariana, bearing date March 9, 1621-2, has a curious history.⁴³ Its bounds are from Nahumheik river by the sea, around Cape Ann, to the Merrimac; and it extends into the interior to the heads of said rivers. This territory in 1635 was again allotted as part of Capt. John Mason's interest, in the closing up of the affairs of the Great Council of Plymouth. The title was disputed by the Company of Massachusetts Bay, who relied upon a "deede" said to have been made by the Great Council of Plymouth, March 19, 1627-8, to Sir Henry Roswell and others, of
lands

⁴³ The Hon. Charles Levi Woodbury, of Boston, an intimate friend of Mr. Tuttle, who often consulted with him in his historical investigations, has kindly contributed this chapter. Mr. Woodbury has devoted much time to the

study of the early settlements at Cape Ann and Salem, and has written a book entitled *An Old Planter in New England*, privately printed in 1885, devoted to the history of John Woodbury, a pioneer in the settlement of those places.

lands which included Mariana. A charter was indeed granted to these persons by the king, March 4, 1628-9, in which charter said deed is recited, and the king confirms the deed, erects these parties and their future associates into a corporation by the name of the "Governor and Company of the Massachusetts Bay in New England," and gives them defined powers of government and of making laws not inconsistent with the laws of England within the territory described, reserving the freedom of the fishery and a share in the minerals and ores.

The deed recited in the Massachusetts Charter of 1628-9, as made by the Great Council of Plymouth, has never been exhibited since that charter was issued. Neither the Great Council of Plymouth, who repeatedly asked to inspect it, nor any historian has ever seen it; nor was it produced in any stage of the litigation with the Mason heirs, or Capt. Mason, on the title to Mariana.

Doubts were early cast upon the authentic character of the deed, and even upon its existence, independently of the dispute as to its legal effect. A recital of the entire controversy would not aid in following the history of the Mariana Patent. The recited deed stated that the Great Council of Plymouth had, on the 19th of March, in the third year of Charles I., under its common seal, granted to Sir Henry Roswell and others all that part of New England which lies between the Merrimac and the Charles, and all those lands lying within three miles south of the Charles and the Bay, and all those lands lying within three miles north of the Merrimac, &c. This included the Robert Gorges tract on the south, and Mariana on the north, which
were

were long previously granted away by the Council. There was between their lines a frontage from near Nahant to the Nahumheik river which had not been previously granted to any one, and which, it was not contested, had by some deed passed to the new grantees.

Capt. Mafon had been in possession of Mariana before the Company of Massachusetts Bay came into existence.

The heirs of Mafon state, in various petitions to the crown, that Capt. Mafon had made settlements on it. For example, in the case submitted to the Privy Council,⁴⁸ they allege that he settled persons as early as 1622 at Cape Ann, and that his steward continued there until 1630, when the Massachusetts Colony violently evicted them. The "Records of the Governor and Company of Massachusetts Bay," Vol. I. p. 76, sustain this latter statement. It was ordered, September 7, 1630, "that a Warrant shall presently be sent to Agawam to command those that are planted there forthwith to come away." Agawam was the best part of Cape Ann, on its north side; and the Company of Massachusetts Bay soon established a strong settlement there, whether for fear of the French or to keep Mafon out is best determined by their former and subsequent conduct.

The death of Capt. Mafon soon removed present danger of interference from the proprietor of the soil. The government of the country and the law-making powers were in the control of the Company of Massachusetts Bay; and it proceeded rapidly to organize the inhabitant freemen of settlements into town governments, and grant them all the lands within

⁴⁸ *Vide New Hampshire Documents* (1874), p. 177. — W.

within the township limits which it defined. This step was probably devised to meet the event of the proceedings pending in England at that time⁴⁴ to revoke their charter, with the expectation that the lands thus given to the towns would not revert to the crown if the charter should be revoked, which certainly would have been the case had the title remained in the corporation. This menacing *Quo Warranto* also engendered a huge crop of Indian deeds as reserve covers to grants made by the company. Domestic trouble in England put this *Quo Warranto* asleep, but another might be apprehended at any time favorable for their opponents; so, in 1657, the General Court enacted a Statute of Limitations, that five years' adverse possession by those who held houses or lands prior to 1652 should bar any after-claim by any one, and in 1692 this was cut down to three years.

As in 1652 the General Court of Massachusetts Bay had seized Maine on a new construction of their northern boundary, the appositeness of this law to freeze out the patentees was not its least recommendation to popularity. Joseph Mason, agent for the widow of Capt. Mason, in vain petitioned for restitution of her lands, and brought a suit at the General Court of Massachusetts against Richard Leader and others, for trespass, at Newichwannock, Maine. The court in 1653 in giving him damages declined to recognize his patents, but founded his right on some Indian deeds it alleged Mason had obtained.

The

⁴⁴ *Vide New England Historical and Genealogical Register*, Vol. XXXVIII. pp. 209-216, for facts relating to the *Quo Warranto* of 1635.

The heirs of Mason, after the restoration of the king, were not idle. Petitions to the king in council were pressed by Robert Mason in 1660, and in 1661 he procured a reference to, and a favorable report from the Attorney-General, who was aided by several doctors of the law in the examination and hearing. In 1664 the king sent commissioners to America specially instructed as to New Hampshire, who accomplished little because of the opposition of the Company of Massachusetts Bay.

In 1671 both the heirs of Mason and of Gorges again were petitioning; but the war in Holland in 1672 delayed proceedings, and Massachusetts again extended her government over Maine.

In 1674 the petitions were renewed by Mason and by Gorges, and the Privy Council directed the titles to be examined. The crown lawyers reported in favor of Mason's title.

In 1676 Massachusetts urged her views of these matters in a formal document, whereupon the Lords of Trade and Plantations were ordered to examine the claims of the contestants and of the Company of Massachusetts Bay, the Chief Justices of the King's Bench and of the Common Pleas advising with them. Massachusetts appeared by its agents, and disclaimed all title to the lands of Mariana and of New Hampshire, but suggested that Mason's contest involved the title of those who occupied the lands, and who were not present. The Lords reported to the Privy Council that Massachusetts had no title to the lands; but that the grant, in the charter of Charles I., of jurisdiction over Mariana to the Company of Massachusetts Bay was presumed valid.

The Privy Council, July 20, heard the representatives of these contestants, and confirmed the findings of the report. Robert Mason, thus, after forty-five years of exclusion, had the validity of his patent of 1620, of Mariana, from the Great Council of Plymouth, confirmed by the law authority of the kingdom.

Was he benefited practically by this? The jurisdiction of Massachusetts had been recognized, and he must sue in her courts and rely on her laws to oust the intruders to whom the company had given his lands and protected them in their possession. The whole population, with its freemen, jurors, court officers, and judges, were interested against his recovery. The king declared that the vacant lands in Mariana should pass at once to Mason's possession, but as to those occupied adversely to him the Company of Massachusetts Bay should provide a special and disinterested court and jury where he could sue the terre-tenants, and should give him a fair trial, and if Mason was dissatisfied, an appeal should be allowed to the Privy Council, who would finally decide it; and that Mason should be under the king's protection whilst in Massachusetts, free from arrests, summons, or interference.

The five years' limitation for suits to disturb an adverse possessor, established by the Colony Act of 1657, and a rule of Court, 1672, that the bare adverse possession was sufficient against a prior patent, being the established law, the chance of any benefit arising to Mason, except from the vacant lands, was small indeed. Mr. Tuttle made many searches, and enlisted the help of the court officers of Essex County, to ascertain whether any suits were brought by the Masons

or

or by Mr. Allen, their assignee, to recover lands; but, as he informed me from time to time, these investigations were fruitless.⁴⁵

"Mariana" was one of the subjects of a deed dated October 14, 1690,⁴⁶ made "between John Tufton Mason and Robert Tufton Mason, sons of Robert Tufton Mason, sometime of the Parish of St Martins in the fields in ye County of Middlesex, Esqr., dec'd, of ye one part, and Samuel Allen of London, Merchant, of the other part," by which they granted to Allen "all that Province or tract of land in New England in America commonly called New Hampshire, lying between the Rivers of Namekeke and Piscattaqua, and the ground & soil therein, and also the South half of ye Isles of Shoals, together with all other Islands and Islets, &c., &c.," also "Masonia," on the Kennebec.

The charter of the Company of Massachusetts Bay was vacated in 1684, and in 1691 the Province Charter was granted by William and Mary, by which it was "provided that nothing herein contained shall extend or be understood or taken to impeach or prejudice any right, title, or interest, or demand, which Samuel Allen of London, Merchant, claiming from or under John Mason, Esqr., deceased, or any other person or persons, hath or have or claimeth to have, hold, or enjoy, of, into, or out of any part of the premises situate

⁴⁵ Mr. Tuttle frequently spoke to me about the statement in the *Annals of Salem*, by Joseph B. Felt, 1st ed. (1827), p. 232, that William Trask, son of Capt. William Trask, covenanted, April 15, 1668, with Robert Mason for a quitclaim to his lands; but Mr. Tuttle failed after

much labor to find the authority Felt had relied on. — w.

⁴⁶ A second, and more perfect, deed from the Masons to Allen, dated April 27, 1691, is printed in the *New Hampshire Provincial Papers*, Vol. II. pp. 535-540. — w.

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situate within the limits above mentioned," but Allen, &c., shall hold and enjoy the same in such manner as if these presents had not been made. Thus the validity of the Mariana Grant was amply recognized.

Mr. Allen brought some suits for lands in Maine and New Hampshire, but "Mariana" appears to have become obsolete; at least no titles resting on that patent have been discovered.⁴⁷

⁴⁷ The curious reader will find, in the notes to Hubbard's *New England*, a lucid statement of the course of these contests of Massachusetts; and in Chalmers, and Jenness's *Documents relating to New Hampshire*, original documents and detailed references to others will be found. — w.





CAPTAIN MASON'S PLANTATIONS ON THE PASCATAQUA.

IN the preceding pages will be found a satisfactory account of the efforts of Capt. Mason in colonizing New England previous to 1629, when the termination of the war with France gave him more time to attend to his private affairs. From that time we have fuller details of what was done in planting New Hampshire. Mason now took a more active part in colonizing his domains in the New World.

Capt. Mason and Sir Ferdinando Gorges were interested in the Canada Company,⁴⁸ which undertook the conquest of Canada as an authorized private enterprise. The company had at its head Sir William Alexander. Mr. John S. Jenness, in the second edition of his "Isles of Shoals," gives the

⁴⁸ For further accounts of the Canada Company and its doings, *vide The First English Conquest of Canada*, by Henry Kirke, London, 1871, pp. 62-93; Parkman's *Pioneers of France in the New World*, pp. 401-411; *Sir William Alexander and American Colonisation*, by the Rev. Edmund F. Sla-

ter, Boston, Prince Society, 1873, pp. 61-63, 84, 85; *Indenture of David Thomson and Others*, by Charles Deane, LL.D., in the *Proceedings of the Massachusetts Historical Society*, Vol. XIV. pp. 376, 377; *Isles of Shoals*, by John S. Jenness, 2d ed., New York, 1875, p. 58.

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the following account of the expedition and some of its results:—

Setting out with a strong naval force, under the command of Sir David Kirke, it succeeded in capturing Quebec and bringing the whole French territory into subjection. Loaded with booty and bringing Champlain⁴⁹ himself as a prisoner, the expedition returned triumphantly to England, November 6, 1629, only to learn that peace had been for several months restored, and that by the articles of the treaty all the hard-won conquests in the New World were to be restored to France.

Among the most stirring members of this now sadly baffled Canada Company, was one Thomas Eyre, a London merchant, who acted as its accountant and treasurer.⁵⁰ Thomas Warnerton, a notary public and merchant of London, George Griffith, another London merchant, as well as Capt. John Mason and Sir Ferdinando Gorges,⁵¹ seem to have been interested in the Canada Company, and must have been chagrined at its disastrous issue.

These men now inquired after some shorter and easier way of reaching the fur country than by the river of Canada, and one which might be used by the English without infringement of the late treaty. Capt. John Smith had written that in his exploration of the New England coast in 1614, he sailed up the river "40 miles, and crossed the mouths of many, whose heads, the inhabitants report, are great lakes, where they kill their beaver, inhabited with many people that trade with them of New England and those of Canada."⁵² The interior of the country had not as yet been explored, and little

or

⁴⁹ *Vide Memoir of Champlain*, by the Rev. Edmund F. Slafter, prefixed to the *Voyages of Champlain*, translated by Charles P. Otis, Ph. D., in three volumes, issued, 1880, by the Prince Society.

⁵⁰ *Admiralty Court Book*, Vol. CCLXXI. sub an. 1633, Public Rec-

ord Off. London. — *Foot-note appended by Jennefs* to the matter quoted.

⁵¹ See the numerous affidavits and orders in the Court of Admiralty relating to the affairs of the Canada Company. — *Foot-note by Jennefs*.

⁵² Smith's letter to Bacon. — *Foot-note by Jennefs*.

or nothing was known of it by the English except from the rude maps of the Dutch and French, chiefly those of L'Esкарbot and Champlain. An inspection of these charts corroborated the statements of Smith. On these maps the Iroquois Lake, now Lake Champlain, which, by the recent capture of Quebec, was now known to be one of the richest trapping-grounds of New France, was laid down close in the rear of New Hampshire, and the Pascataqua river took its source near its banks, if not directly from the lake itself, thus affording easy access to the Iroquois beaver country, at an immense saving of distance and expense.⁵³

As before stated, Mason obtained from the Council for New England the grant of New Hampshire, November 7, 1629, and Gorges and Mason that of Laconia, ten days later, November 17.⁵⁴ The first was only one day, and the latter eleven days, after the return of the captors of Quebec. The New Hampshire grant included all the land lying between the Merrimac and Pascataqua⁵⁵ rivers, and three miles beyond their sources. The Laconia grant conveyed all the lands bordering upon the lakes or rivers commonly called the River and Lake, or Rivers and Lakes, of the Iroquois, and extending on the south and on the east ten miles from the said rivers and lakes, on the west half-way to the next great lake, and on the north to the north side of the main river which runs from "the great and vast western lakes" and falls into the river of Canada. The grantees were also given

⁵³ *Vide Isles of Shoals*, by John S. Jenness, 2d ed., pp. 60-62.

⁵⁴ Both documents are printed in this volume. *Vide* CHARTERS, *post*, November 7, and November 17, 1629.

⁵⁵ "'Pascataqua,'—one water parting into three," is the definition given

by the Rev. Alonzo H. Quint, D.D., in *The First Church of Dover, N. H.* (1884), p. 13. See also, for remarks on the meaning of the word, *The First Planting of New Hampshire*, by John S. Jenness (1878), pp. 55-57.

given the right to select one thousand acres on the sea-coast in any of the ports, harbors, or creeks where the same was not then disposed of to other persons. The language of the patent seems to imply that an association was to be, or had been, formed for utilizing this grant. To the clause conveying the lands to Gorges and Mason and their heirs and assigns, is added, "or their associates and such as they shall allow of and take in to adventure and ioyn with them in their plantations, trafiques, and discouveryes."⁶⁶ Such an association was formed, and was called the Laconia Company. It consisted, besides Gorges and Mason, of seven London merchants, Thomas Eyre, George Griffith, and Thomas Warnerton, before named, John Cotton, Henry Gardner, Edwin Guy, and Eliezer Eyre. "The scheme of these patentees," says Jenness, "is apparent from the grant itself. It was to send over cargoes of Indian truck-goods to the Pascataqua, and unlade them at the factories near the mouth of the river, and thence transport them in boats or canoes up the Pascataqua to Lake Champlain, to be bartered there for peltries for exportation from the factories to Europe. For the better accommodation of this traffic," he adds, "the company were authorized to take up one thousand acres of land on the side of the Pascataqua river, as a site for their factory; but they seem not to have availed themselves of this privilege, the territory at the mouth of the river being acquired by the adventurers under a subsequent patent."⁶⁷

The

⁶⁶ In quotations in the text from ancient documents contractions have been spelled out. But in all cases in which the documents are given by

themselves in full, the contractions are retained.

⁶⁷ *Vide Isles of Shoals*, by John S. Jenness, 2d ed., pp. 62, 63.

The next spring after the Laconia Patent was granted, the company sent to the Pascataqua river the bark *Warwick*, belonging to George Griffith and Company. Griffith was one of the Laconia partners. The vessel was of about eighty tons burthen, with ten pieces of ordnance. The commander of it was Capt. Wetherell.⁶⁰ The bark failed from the Downs about the 27th of March, 1630, but put into Plymouth harbor before leaving the English coast, and was there on the 8th of April.⁶¹ She arrived at her destination not far from the 1st of June. In her came Capt. Walter Neale as governor, and Ambrose Gibbons as factor.

Capt. Neale, the leader of this enterprise, was a soldier by profession, and seems to have entered the army about the year 1617.⁶² In February, 1628-9, he petitioned the Council of War for the settlement of his claims. He states in his petition that he had "been an officer in his Majesty's service five yeares, both in the expedition with Count Mannsfelt and in several expeditions since." He had also "served in the Isle of Rhe, many weeks a voluntary without receiving any pay."⁶³ His claim was referred to Capt. Mason for adjustment. Whether Mason and Neale were acquainted before this

⁶⁰ Capt. Wetherell was a son of the master of one of the cattle ships in Winthrop's fleet which was left at Southampton. *Vide History of New England*, by John Winthrop, edited by James Savage, Vol. I. p. 7 (2d ed., p. 9).

⁶¹ Thomas Eyre, writing from London, acknowledges the receipt of a letter dated at Plymouth, April 8, 1630, from Ambrose Gibbons, who was then on board the *Warwick*, on her voyage to New England. *Vide New Hampshire Provincial Papers*, Vol. I. p. 61.

⁶² Petitioner hath lived a souldier these twenty years. — *Petition*, 1637, in *Transcripts of Original Documents in the English Archives relating to the Early History of the State of New Hampshire*. Edited by John Scribner Jenness, New York, 1876, p. 33. Petitioner hath been a soldier these thirteene years, and hath never held any other profession but his sworde. — *Petition*, February 26, 1628-9, in the same book, p. 2.

⁶³ *New Hampshire Documents*, by John S. Jenness, p. 3.

this I do not know; but in less than a year the latter was engaged by the former to take charge of this New England enterprise. It was probably in this year, before his engagement to Mason, or in 1633, after his return to England, that he petitioned the king to be made Marshal of Virginia.⁶²

When Capt. Neale arrived on the Pascataqua, there was standing on that river a stone house built by David Thomson, who as agent and partner of some Plymouth merchants had, in 1623, established a plantation there.⁶³ In this house Neale and his companions took up their residence.⁶⁴ Probably some arrangement had been made with the owners of this house before the *Warwick* left England, or with their agents after the arrival of the vessel, either to purchase the house or hire it. It is possible, however, that when the company arrived, the house had been abandoned, and they, finding it unoccupied, may have taken possession of it. The Council of New Hampshire in their address to the king, May 31, 1681, assert that this house was hired.⁶⁵ If so, the indications are that it afterwards in some way became the property of the Laconia Company or of Mason.⁶⁶ There were probably other buildings there besides the house.

The

⁶² *Vide*, for this petition, *New Hampshire Documents*, by John S. Jenness, p. 7. The date "ab^t August 1631," conjecturally assigned to it by the person who arranged the Colonial State Papers, I think must be wrong, as Neale at that time was in New England acting as the agent of Mason and his associates.

⁶³ *Vide* note 16, *ante*, p. 17.

⁶⁴ William Seavy, who came to New England in 1632 on a fishing voyage, deposed in 1676 that Capt. Neale "lived

in a house in the Little harbour of Piscataqua which by common Report was formerly built by some Merchants &c. of Plymouth in England." *Vide New Hampshire Documents*, by John S. Jenness, p. 63.

⁶⁵ *Vide New Hampshire Documents*, by John S. Jenness, p. 100.

⁶⁶ Jenness, in his *Isles of Shoals*, p. 64, suggests that an arrangement may have been made with Thomson's heirs. That the families of the Plymouth merchants were not aware that their interest had

The plantation where they feated themselves was "on the west side of Pascataqua river, near the mouth of the westerly branch, which they called Little Harbor," and which is now in the town of Rye, New Hampshire. The site of this house was "on a peninsula, or point of land, now called Odiorne's Point, which is formed by Little Harbor on the north-east, and a creek on the south, with a large tract of salt marsh on the west. This place was selected with great judgment. The peninsula contains about five hundred acres of land, on which is a commanding eminence, where are evident remains of an ancient fort, situated so as to be a complete defence against the incursions of a savage enemy. The house was erected a few rods to the northward of the fort."⁶⁷

Jennefs, in his "First Planting of New Hampshire," expresses the opinion that though Thomson had with his family made a settlement on Thomson's Island, in Massachusetts bay, in 1626, he continued to superintend the business on the Pascataqua till the expiration of the term of copartnership with the Plymouth merchants in November, 1627.⁶⁸ That there was a plantation there in 1628 is evident,

had been transferred to Mason and his associates is rendered probable by the information given to the Rev. Dr. Increase Mather in March, 1692, when he was at Plymouth, England, by the Rev. Mr. Sherwell, a minister in that vicinity, who was a grandson of one of Thomson's partners. Mr. Sherwell stated that his grandfather and others "had a patent for that which Mr. Mason pretended to at Piscataqua." *Vide* letter of the Rev. Dr. Cotton Mather

in the *New England Historical and Genealogical Register*, Vol. XVI. p. 351.

⁶⁷ *Annals of Portsmouth*, by Nathaniel Adams, 1825, p. 10.

⁶⁸ *Notes on the First Planting of New Hampshire and on the Piscataqua Patents*, by John S. Jennefs, Portsmouth, 1878, p. 10. Mr. Jennefs, on page 7 of this work, gives a description of the house at Little Harbor as indicated by its remains.

evident, for "Pascataquack" was assessed in that year to defray the expense of sending Thomas Morton to England.⁶⁹ It is probable that there was still a settlement there when Neale arrived in 1630 to become governor of the plantation.

Neale was instructed, on his coming to these shores, to make an early attempt to discover a route to the lakes in the Iroquois country, where the Laconia Patent was located. In 1630, soon after his arrival in New England, he wrote home that he would make this attempt in September of that year,⁷⁰ but some cause prevented him from doing so. The trade with the natives, and probably to some extent the cultivation of the ground, was prosecuted, however, under Neale and the company's faithful factor, Ambrose Gibbons.

Thomas Eyre was "Clarke and Accountant" of the Laconia Company, and seems to have superintended its business in England. Perhaps he was the treasurer, as he had been of the Canada Company. He was an active man, and, June 21, 1632, was chosen secretary of the Council for New England.⁷¹ The same year that the *Warwick* left England for these shores, another vessel, the *Pied Cow*, was despatched for the Pascataqua.⁷² Both vessels returned to England, and were getting ready the next year to sail again for the plantation, the former as early as June 7, and the latter November 17, 1631.⁷³

The

⁶⁹ *Collections of the Massachusetts Historical Society*, Vol. III. p. 63.

⁷⁰ *Vide* LETTERS, *post*, May 31, 1631.

⁷¹ *Vide N. E. Hist. and Geneal. Register*, Vol. VIII. p. 142; *Calendar of Colonial State Papers*, Vol. I. p. 153.

⁷² *Vide* LETTERS, *post*, May 31, 1631.

⁷³ William Stephenson was master of the *Pied Cow* on her second voyage, and John Raymond was the purser. The invoice of goods shipped in this vessel, November 17, 1631, is printed in *New Hampshire Provincial Papers*, Vol. I. pp. 63-65.

The *Warwick*, of which John Dunton was master and Henry Fleet factor, left the Downs July 4, 1631, and arrived on the 9th of September in the harbor of Pascataqua. Here she landed her passengers and the goods intended for this place.

In the *Warwick* came "a factor to take care of the trade goods, and also a soldier for discovrie."⁷⁴ The name of neither is given by Mr. Eyre, whose letter I quote, but I presume that the soldier was Capt. Thomas Cammock.⁷⁵ George Vaughan,⁷⁶ whom Savage had some reason for believing arrived in September, 1631,⁷⁷ may have been the factor. In this year Humphrey Chadbourne⁷⁸ and Edward Colcord also are said to have arrived. They also may have come in the *Warwick*. When Colcord first arrived he found but three houses "in all that side of the country adjoining unto Pascataqua river."⁷⁹ Chadbourne was one of "the chieftest" of the "artificers" sent over to the plantation; and he "built the Great House as it used to be called at Strawberry Bank.

⁷⁴ *Vide* LETTERS, *post*, May 31, 1631.

⁷⁵ Capt. Thomas Cammock was a nephew of Robert Rich, the first Earl of Warwick of the name, and a cousin to Robert Rich, the second Earl, who succeeded to the title in 1618, and was president of the Council for New England. Cammock received a grant of Black Point, now Scarborough, Maine, and removed there. He died in 1643, while on a visit to Barbadoes. *Vide* biographical notice in *George Cleeve of Casco Bay*, by James P. Baxter, Gorges Society (1885), pp. 36-38; and *Trelawney Papers*, edited by J. P. Baxter, *Maine Historical Society Collections*, 2d Series, Vol. III. (1884), p. 2.

⁷⁶ Vaughan remained in New England till 1634, when he returned. He was in Boston, August 20, waiting for a fair wind to sail. On the 10th of April, 1636, he wrote to Gibbons from London, stating that the ship put into a port in Ireland, and he being sick was left there. He did not arrive in London till December, 1635, after the death of Mason. *Vide New Hampshire Provincial Papers*, Vol. I. pp. 95, 97.

⁷⁷ *Vide Genealogical Dictionary*, by James Savage, Vol. IV. p. 368.

⁷⁸ Statement of the Hon. William Willis in *New England Historical and Genealogical Register*, Vol. II. p. 204.

⁷⁹ Hubbard's *New England*, p. 219.

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Bank."⁸⁰ Adams, in his "Annals of Portsmouth,"⁸¹ gives the location of this house as near the corner of Water and Pitt streets in that city. This was the "Mason Hall," mentioned in the "Statement of the Title of Robert Mason,"⁸² and elsewhere. Capt. Mason in his will calls his plantation, which he terms a "manor," by this name.⁸³

Mr. Fleet, the factor of the *Warwick*, had a commission from the owners to be absent one year for "trade and discovery." After a short stay at Pascataqua, the bark sailed on Monday, September 19, for Virginia, where she came to anchor on the 21st of October. The name of the port is not given. Fleet gives no name but Virginia. Perhaps it was Jamestown. Thence they sailed for the river Potomac, and arrived at a town near the mouth of that river, called Yowaccomoco.⁸⁴ Making all the haste practicable, Fleet took into the bark her lading of Indian corn, and on the 6th of December the vessel weighed anchor and sailed directly for New England; but by a storm, was forced to put into the James river. Here they replenished their provisions, and set sail from Point Comfort, Tuesday, January 10, 1631-2, and on the 7th of February arrived at Pascataqua, where they delivered seven hundred bushels of corn. On their return to Virginia they stopped at the Isles of Shoals and at Boston to obtain provisions and goods to trade with the

⁸⁰ Hubbard's *New England*, p. 219.

⁸¹ *Annals of Portsmouth*, by Nathaniel Adams, p. 19.

⁸² *New Hampshire Documents*, by John S. Jenness, p. 77. Hubbard in his *History of New England*, p. 214, says that the house at Little Harbor was

"Mason Hall." See also *First Planting of New Hampshire*, by John S. Jenness, p. 7.

⁸³ *Vide* MASON'S WILL, *post*.

⁸⁴ Afterwards the site of St. Mary, the old capital of the province of Maryland. — *Foot-note by Neill*.

the Indians. They sailed from Pascataqua on the 6th of March for the Isles of Shoals, where they remained till the 11th, and then left for Massachusetts bay, arriving at Nantasket the 14th, and at Winnesimmet on the 19th. Here they remained till the 6th of April, on which day the *Warwick* sailed for Virginia⁸⁶ accompanied by a pinnace belonging to Samuel Maverick⁸⁷ of Winnesimmet.

According to the testimony of Henry Josselyn, Capt. Walter Neale was made, by the Council of Plymouth in 1631, governor of all New England which had not been granted to others, from the eastern end of the Massachusetts Patent to the Santa Croix.⁸⁸ Other facts support this statement.

Though the expectations of the Laconia partners had not been realized by the discovery of an easy route to the fur country of the Iroquois, they do not appear to have been discouraged from prosecuting their enterprise. On the 4th of November, 1631, they received from the Council for

⁸⁶ For other facts in the history of the bark *Warwick* see *English Colonization in America*, by the Rev. E. D. Neill (1871), pp. 219-237; an article by Mr. William B. Traft in the *New England Historical and Genealogical Register*, Vol. XXI. pp. 223, 224; and a note by Charles Deane, LL.D., in the *Proceedings of the Massachusetts Historical Society*, Vol. XIV. p. 380.

A Brief Journal of a Voyage made in the Bark Warwick to Virginia and other Parts of the Continent of America, by her factor, Henry Fleet, is preserved among the MSS. in the Lambeth Library. In 1664 this MS. belonged to William Griffith, A.M., who was probably the son of one of the owners of the

Warwick. The Journal is printed in full from this manuscript by Mr. Neill in *English Colonization in America*.

⁸⁷ Samuel Maverick, of Winnesimmet, afterwards of Noddle's Island, and one of the king's commissioners, wrote a *Description of New England*, which was published in the *New England Historical and Genealogical Register*, January, 1885.

⁸⁸ *English Colonization in America*, by the Rev. E. D. Neill, pp. 221-223; *History of New England*, by John Winthrop, ed. by James Savage, Vol. I. pp. 71, 72 (2d ed., pp. 86, 87).

⁸⁹ *New Hampshire Documents*, by John S. Jenness, p. 75.

for New England a patent of land on both sides of the Pascataqua, and also of the Isles of Shoals and the fishings thereabouts. The patent is entitled "Grant and Confirmation of Pascataway to Sir Ferdinando Gorges and Capt. Mason and others." Besides Gorges and Mason, Cotton, Gardner, Griffith, Guy, Warnerton, and the two Eyres are named in the patent. The partners do not seem to have recognized any right of Thomson or his associates in the house or lands at Little Harbor; for the patent which they obtained confirms to the grantees a title to the "house and chief habitation . . . wherein Capt. Walter Neale and the Colony with him now doth or lately did reside, together with the Gardens and Come ground occupied and planted by the said Colonie and the Salt-workes already begun." The patent recites, among the services already performed by the Laconia partners, the making of clapboards and pipe-staves, making of salt-pans and salt, transporting of vines for making wine and searching for iron ore. It is also there stated that the partners had spent upwards of three thousand pounds in the enterprize.⁸⁹

In the spring of 1632 the company "chartered from Matthew Cradock and others a pinnace of one hundred tons, named the *Lyon's Whelp* of London, John Gibbs, master, for a fishing voyage to the Isles of Shoals, thence to Bilboa, etc., and back to London. By the charter party she was to sail from London in season to reach the Shoals before April 30; or if she arrived later in the season then she was to proceed at once to Newfoundland, and procure there

⁸⁹ *Vide* CHARTERS, *post*, November 4, 1631.

there a fare of fish. By reason of the unseaworthiness of the vessel, she did not arrive at the Pascataqua until after the end of April, and the fishing season was over; and failed to proceed to Newfoundland as directed in such case by the charter party, but returned to London in the fall with heavy loss to all concerned in the adventure."⁹⁰

That fishing was for some years profitably carried on by the partners at the Isles of Shoals, which were within their patent, there is reason to believe, and they may also have derived no inconsiderable revenue from licenses for ships coming to those islands to fish.⁹¹

In the spring of 1632 another vessel was sent by the company to Pascataqua. The name of the ship was the *John*; and the invoice of trade goods in her, which is preserved, is dated April 18, 1632.⁹²

The plantation at Strawberry Bank, where Chadbourne built the "Great House" before referred to, was probably begun in this or the previous year, and that at Newichwannock⁹³ as early or earlier. The latter plantation was on the little Newichwannock river, a branch of the Pascataqua, some fifteen miles from its mouth. It was afterward a part of Kittery, Maine, and is now in the town of South Berwick. The trade in beaver was probably carried on at both plantations.

⁹⁰ *Isles of Shoals*, by John S. Jenness, pp. 66, 67. Law-suits between the partners followed. *Vide* Mr. Jenness's Appendix, pp. 185-189, and the *New England Historical and Genealogical Register*, Vol. VIII, pp. 142, 143.

⁹¹ *Vide An Old Planter in New England*, by Charles L. Woodbury (1885), pp. 8, 18.

⁹² This invoice is printed in *N. H. Provincial Papers*, Vol. I. p. 66, 67.

⁹³ The pronunciation of this name two centuries ago appears to have been *Ne-ge-won-nock*. Capt. Danforth, an eminent surveyor, wrote it *Negewonnick* in 1679. — *Note by John Farmer to his edition of Belknap's New Hampshire* (1831), p. 10.

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tions. Gibbons, in the year 1633, writes from Newichwannock that he had sometimes one hundred or more Indians at his plantation.⁹⁴ But the reason of the selection of Newichwannock as the site of a plantation was probably its falls and other facilities for lumbering. A saw-mill was erected here in 1634, and the manufacture of lumber was carried on extensively during the lifetime of Mason and for a long period afterwards. Within a few years houses were also built on Great Island opposite Little Harbor, and a fort was erected there.

The land was cultivated at all the plantations, but the products seem to have been used by the settlers for their own subsistence, as we hear of no exportation. The culture of vines was attempted, but this does not appear to have been a success.

Stock-raising was an important employment. Capt. Mason took much interest in this venture, and individually engaged in it. He imported from Denmark a very fine breed, being "very large beasts of a yellowish color."⁹⁵ Francis Small, in his deposition, September 8, 1685, stated that he verily believed that, from the cattle sent thither by Capt. Mason, most of the cattle then in the provinces of New Hampshire and Maine had been raised, for he did not remember or hear of any other person bringing over any.⁹⁶ Cattle, however, were largely imported into the Massachusetts Colony; but though we know that some were early carried

⁹⁴ *Vide* LETTERS, *post*, July 13, 1633.

⁹⁵ For this statement the reader is referred to the depositions of Nathaniel Boulter and John Redman, November

6, 1685, in *New Hampshire Provincial Papers*, Vol. I. p. 47.

⁹⁶ *New Hampshire Provincial Papers*, Vol. I. p. 45.

carried from the Pascataqua to Boston, it is possible that but few found their way from Massachusetts to New Hampshire and Maine.

The manufacture of potash was also carried on here,⁹⁷ but to what extent I do not know. Their principal source of profit was probably, however, the trade in beaver and other furs, which no doubt had been considerable from the time when Thomson established himself here. The letters and inventories preserved show the importance of this trade. Fishing had been largely carried on for many years on all the northern shores of New England. Little Harbor was well situated for this occupation, which must have been carried on there to some extent, though the principal fishing stages of the company were at the Isles of Shoals. Salt was needed to cure the fish, and as has been seen, its manufacture was early commenced here. Hubbard says it was made here before the arrival of Capt. Neale; but the patent of 1631, above quoted, speaks of the salt-works as only "begun" at that time. Winthrop, under date of June 25 of this year, makes this entry in his journal: "There came a shallop from Pascataqua, which brought news of a small English ship come hither with provisions and some Frenchmen to make salt."⁹⁸ I find no other reference to Frenchmen as colonists there. Possibly they may have been the eight Danes⁹⁹ which Mason sent to the colony, and who, speaking a foreign language, may have been mistaken for Frenchmen.

⁹⁷ *N. H. Prov'l Papers*, Vol. I. p. 45.

⁹⁸ *History of New England*, by John Winthrop, edited by James Savage, Vol. I. p. 57 (2d ed., p. 68).

⁹⁹ *New England Historical and Genealogical Register*, Vol. II. p. 39. *Annals of Portsmouth*, by N. Adams, 1825, p. 19.

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Frenchmen. But according to the deposition of Francis Small, the Danes were sent here to build mills for sawing timber, and to tend them, and to make potash.¹⁰⁰

Small, in his deposition just quoted, states that the first saw-mill and the first corn-mill in New England were "erected at Capt. Mason's plantation, Newichwannock."¹⁰¹ It is probable that there were no mills there before 1634, when Mason sent a saw-mill and a corn-mill in the *Pied Cow*. Possibly Small's statement may be true as to the saw-mill; but it is evidently wrong as to the corn-mill, for Winthrop, under the date of October 18, 1632, has this entry: "Capt. Camock, and one Mr. Godfry, a merchant, came from Pascataquack in Capt. Neal his pinnace, and brought sixteen hogsheads of corn to the mill."¹⁰² Evidently there was then no corn-mill at Newichwannock. The windmill at Newtown, now Cambridge, which was removed to Boston in August, 1632,¹⁰³ seems to have been the first corn-mill in New England. The first in Plymouth Colony was not erected till 1633, when Stephen Deane set up one.¹⁰⁴

While attending to the material interests of the plantations, the company did not neglect to provide for their spiritual necessities. That religious services were held there, is evident from the inventories preserved. In one of them is mentioned one great Bible, twelve service books, one pewter flagon, one communion cup, two table-cloths, and two napkins, "for religious use."¹⁰⁵

It

¹⁰⁰ *New Hampshire Provincial Papers*, Vol. I. p. 45.

¹⁰¹ *Ibid.*

¹⁰² *History of New England*, by John Winthrop, ed. by James Savage, Vol. I. p. 91 (2d ed., pp. 107, 108).

¹⁰³ *Ibid.*, Vol. I. p. 87 (2d ed., p. 104).

¹⁰⁴ *Vide New England Historical and Genealogical Register*, Vol. III. p. 378; *Plymouth Colony Records*, Vol. I. pp. 8, 22.

¹⁰⁵ *Vide LETTERS, post*, July, 1635.

It could not have been later than 1632 that the contest between Neale and Thomas Wiggin, narrated by Hubbard, took place. Capt. Wiggin was employed "to begin a plantation higher up the river for some of Shrewsbury," and "being forbidden by him, the said Neale, to come upon a point of land that lieth in the midway betwixt Dover and Exeter, Capt. Wiggin intended to have defended his right by the sword, but it seems both the litigants had so much wit in their anger as to waive the battle, each accounting himself to have done very manfully in what was threatened; so as in respect, not of what they did, but what might have fallen out, the place to this day retains the formidable name of Bloody Point."¹⁰⁶ Jennefs thinks this event occurred after the arrival of the patent of the Laconia partners, granted in November, 1631; and that the title that Capt. Wiggin defended was that of Massachusetts Bay, under the great Charter of 1628-9, there being no evidence that he had an interest in the Hilton Patent till 1632.¹⁰⁷ Hubbard, the only authority on the subject, says, however, that Wiggin was acting for the Shrewsbury men.¹⁰⁸

Capt. Neale had been in this country less than a year and a half when the Laconia partners became dissatisfied with the results of the adventure. This is evident from their letter, December 5, 1632, to Ambrose Gibbons. They state that they had written to Capt. Neale to "dismiss the household," but that "such as will or canne live of themselves may stay upon our plantation in such convenient place" as Capt. Neale,

¹⁰⁶ *History of New England*, by William Hubbard, p. 217.

¹⁰⁷ *Vide First Planting of New Hampshire*, by John S. Jennefs, pp. 40, 41.

¹⁰⁸ *Vide* note 21, *ante*, p. 24.

Neale, Mr. Godfrey, and Gibbons might think fit, promising that a reasonable quantity of land should be granted to them by deed. The dissatisfaction arose from the "ill dealing" of John Gibbs in his fishing voyage,¹⁰⁹ of which an account has been given, and the small returns from Capt. Neale, Mr. Herbert, and their factors. With the management of the plantation of Newichwannock they seem better pleased; and Gibbons was requested to take care of the house there, to look well to the vines and take some of the swine and goats. To Edward Godfrey, who had been employed by Gorges in Maine, was committed the care of the house at Pascataqua, and Thomas Warnerton was to take charge of the house at Strawberry Bank.¹¹⁰ The letter was not received by Gibbons till June 30, 1633. Capt. Neale, whose instructions probably arrived at the same time as the letter to Gibbons, was expected, the letter states, to return to England to confer with the partners that they might "settle things in a better order."¹¹¹

After three years' residence in New England, Capt. Neale left the plantations on the Pascataqua river on the morning of July 15, 1633. He probably visited other settlements before reaching Boston, where he was to embark for his native country. He arrived in Boston in the early part of August; but owing to the cool reception he met with on his former visit, and the fact that some of his letters to England which had been sent by the way of Boston had been opened by

¹⁰⁹ Gibbons, in explanation of the ill success of Gibbs, says: "A Londoner is not for fishing, neither is there any amity betwixt the West cuntrimen and them." *Vide* LETTERS, *post*, July 13, 1633.

¹¹⁰ *Vide* LETTERS, *post*, Dec. 5, 1632.

¹¹¹ *Ibid.*

by the authorities there, he did not call upon the Governor, and wrote him on the 13th explaining why he did not call.¹¹² He embarked, with eight of his company, in the *Elizabeth Bonaventure*, Capt. Thomas Graves, which had arrived on the 15th of June, from Weymouth, England, and was now returning home.¹¹³ The day that the vessel sailed is supposed by the Hon. James Savage, the editor of Winthrop's New England, to have been the 15th of August,¹¹⁴ as William

¹¹² The case is fully stated by Gov. Winthrop in his *History of New England*, edited by James Savage, Vol. I. p. 107 (2d ed., p. 127).

¹¹³ *Vide History of New England*, by John Winthrop, edited by James Savage, Vol. I. p. 104 (2d ed., p. 124).

¹¹⁴ After his return home, in 1633, Capt. Neale's name was presented by Charles I. to the authorities of the city of London for the office of Captain of the Artillery Company, in place of Capt. Nathaniel Fisher, who had died that year. On the 12th of December, 1633, his Majesty's letter was read at the Court of Aldermen, and it was ordered that Alderman Fen, president of the Artillery Company, communicate the letter to the company, so that Capt. Neale "might be admitted in obedience to his Majesty's commands." He held the office at least till 1637, when he petitioned the king for the office of Muster Master of the City of London. He had before applied for the place, but the king "was not then pleased to thinke it necessary to appoint any such officer." This petition is printed by John S. Jenness in his *New Hampshire Documents*, pp. 1, 2, from the *English State Papers*, Domestic Series, Vol. LXXXIV. No. 42; but the date conjecturally assigned, 1615, is erroneous, as is evident from the facts given in Capt. George Alfred Raikes's *History of the Honora-*

ble Artillery Company, pp. 107, 108. Neale was not successful in his application; for on the 18th of December, 1637, Capt. John Fisher was appointed to the place. About the same time that he applied for the position of Muster Master, he petitioned the king to be governor of New England. This petition is also printed by Jenness. See *New Hampshire Documents*, pp. 33, 34. Col. Joseph Lemuel Chester, in a note to Mr. Tuttle, September 7, 1877, mentions a letter of Walter Neale, dated at Portsmouth, July 13, 1639, but he does not state where the original is to be found. It relates to the landing or transportation of three hundred Spanish soldiers. "His signature," says Col. Chester, "is unmistakably that of the one whose *facsimile* you send me, and the arms on the seal are: three greyhound's heads erased, collared, and ringed. These arms are those of Neale of Leicestershire and Northamptonshire; but I do not find a Walter Neale on the pedigrees of either county." The later history of Neale is unknown to me. The king's nomination of Neale as Captain of the Artillery Garden is printed in full by John S. Jenness, in *New Hampshire Documents*, pp. 19, 20. See also *History of the Artillery Company*, by Capt. G. A. Raikes (1878), pp. 80, 92, for facts relating to this matter.

William Wood, the author of "New England's Prospect," according to his own statement, failed that day from Boston,¹¹⁵ and, though possible, it is not probable that another vessel failed from this port so near this time without being mentioned by Winthrop. If Wood failed in Capt. Graves's ship, and if, as Charles E. Banks, M.D., conjectures (an opinion generally concurred in), Capt. Neale wrote the "True Relation concerning the Estate of New England," printed in the "New England Historical and Genealogical Register" for January, 1886,¹¹⁶ then two passengers in this vessel, one a Puritan and the other a Churchman, wrote accounts of New England.

A principal object of the company, as has been stated, was the discovery of a direct communication with Lake Champlain, for opening trade with which region the Laconia Patent of land on that lake was procured. It was supposed by them that the Pascataqua furnished a route to the country of the Iroquois which would give them the trade in beaver and other furs now monopolized by the Dutch on Hudson river and the French in Canada. Capt. Neale did not make the attempt to discover this route the first year, as it was expected he would do.¹¹⁷ Attempts, however, were made by him during his stay in this country.¹¹⁸

The

¹¹⁵ *Vide New England's Prospect*, by William Wood, Prince Society's ed., pp. ix, 49.

¹¹⁶ *Vide New England Historical and Genealogical Register*, Vol. XL (1886), pp. 66-73.

¹¹⁷ LETTERS, *post*, May 31, 1631.

¹¹⁸ In his *History of New Hampshire*, p. 19. Dr. Jeremy Belknap states that the discovery of the White Hills

was made in 1632 by Neale, Josselyn, and Darby Field, while endeavoring to reach Laconia. He gives no authority for the statement, and I find no evidence in its favor. Josselyn, though he did not arrive here as governor of Mason's plantations till a year after Neale left, may have been here before; but there are no indications that Field was here so early as 1632. The White Hills were

The patent of November 3, 1631, recites that the agents of the grantees had even then "taken great pains and spent much time in the discovery of the country;" and in a petition to the king, in 1637, Neale states that while he was here he "made greater discoveries of the inland parts than was ever made by any before or since;" and that he had "exactly discovered all the rivers and Harbors in the habitable part of that Country."¹¹⁹

Ferdinando Gorges, Esq., also speaks of these discoveries, in his "Description of Laconia," in "America Painted to the Life." After describing the Lake of the Iroquois, that is, Lake Champlain, Gorges says: "The way over land to this great lake from the Plantation of Pascataway hath been attempted by Capt. Walter Neale, once governor, at the charges of my grandfather, Capt. Mason, and some merchants of London, and the discovery wanted one day's journey of finishing, because their victuals were spent, which for want of horses they were enforced to carry with their armes and their clothes upon their backs. They intended to make a settlement for trade by pinnaces upon the said lake, which they reckon to be about 90 or 100 miles from the Plantation over land."¹²⁰

Hubbard gives this account of the expedition: "Another occasion

were probably visited by Neale in some of his expeditions; but Darby Field seems to have been the first person to reach their summit. This he did in 1642. He was an Irishman, and was then living near Pascataqua, probably at Exeter. He was accompanied in his journey by two Indians. *Vide History of New England*, by John Winthrop,

edited by James Savage, Vol. II. p. 67 (2d ed., p. 80); and Mr. Savage's note on Winthrop's entry.

¹¹⁹ *New Hampshire Documents*, by J. S. Jenness, p. 33.

¹²⁰ *America Painted to the Life*, by F. Gorges, Esq., p. 48. A flattering account of the Laconia country is given in the preceding pages of the work quoted.

occasion of their sending over was said to be searching or making a more full discovery of an imaginary Province, supposed to lie up higher into the country, called Laconia. But after three years spent in labor and travel for that end, or other fruitless endeavors and expense of too much estate, they returned back to England with a 'non est inventa Provincia.'"¹²¹

It seems that the company was not satisfied with the discoveries made by Neale in relation to the route to the lakes, and even after he had returned to England still entertained the hope of finding an easy passage there. Mason, writing to Gibbons, May 5, 1634, says: "I have disbursed a great deal of money in the plantation, and never received one penny; but hope if there were once a discoverie of the lakes, that I should, in some reasonable time, be reimbursed againe."¹²² To this Gibbons replies, August 6, 1634: "I perceive you have a great mynd for the lakes, and I as great a will to assist you. If I had two horses and three men with me, I would by God's helpe soone resolve you of the situation of it, but not to live there myself."¹²³ It seems from Thomas Morton's book that Henry Josselyn, who arrived here in the summer of 1634, to succeed Capt. Neale, was expected to make another attempt.¹²⁴

At the departure of Neale, the following account of the persons at each house is given by Gibbons. Warnerton, who had charge of the house at Pascataqua, had under him William Cooper, Ralph Gee, William Dermitt, Roger Knight,

¹²¹ *History of New England*, by William Hubbard, p. 216.

¹²² LETTERS, *post*, May 5, 1634.

¹²³ *Ibid.*, August 6, 1634.

¹²⁴ Morton's *New English Canaan*, Prince Society's ed. (1883), pp. 237, 238.

Knight, and his wife and one boy. Gibbons had with him his wife and child, and four men, namely, Charles Knill, Thomas Clarke, Stephen Kidder, and Thomas Crockett.¹²⁶ An inventory of the goods at the several plantations was taken. This is printed in the "New Hampshire Provincial Papers."¹²⁶

A meeting of the Laconia Company was held in December, 1633, at which it was voted that the Pascataqua house, the house at Strawberry Bank, all the islands in the Pascataqua river, and all the land on the southwest side of that river which is mentioned in the patent, as also the Isles of Shoals, and the house at Newichwannock and the land thereunto belonging, shall remain in common till a division thereafter be made. The land on the northeast¹²⁷ side was divided among the partners: Gorges having the southern portion, beginning at the outermost point in the sea, where the patent begins, and extending up the river three miles; Gardner three and three-quarter miles from Gorges; and Griffith, Eliezer Eyre, and Warnerton the next eight miles, to within a quarter of a mile to the lowermost falls next to Newichwannock house. To Mafon for himself and Cotton, whose right, as will be seen, he had purchased, was assigned a tract beginning "a quarter of a mile below the said Lowermost fall and soe upward along Newichwannock River to the end of the Patent, which is estimated about fifteen and a quarter, being almost fower miles more than his

¹²⁶ *Vide* LETTERS, *post*, July 13, 1633. Knill's name is sometimes spelled Neale, Kidder's name, Teddar, and Crockett's, Crockwood.

¹²⁶ Vol. I. pp. 74-80.

¹²⁷ The record as printed in *New Hampshire Documents*, by J. S. Jen-
nels, p. 18, reads "the northwest."

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his proportion cometh unto. Yet it is allowed him in regard hee is soe far distant from the Sea and for conveniency of landing boats belowe the said Falls."¹²⁸

A division of the swine "remaining in the generals" was also made, Mason receiving thirteen out of thirty-five.¹²⁹

Soon after this the Laconia Company appears to have been dissolved,¹³⁰ at least so far as regards joint action in maintaining the plantations. I presume that the affairs of the company were wound up as soon as practicable. Mason writes, the next spring, that he thinks that not many of the other members, besides Gorges and himself, will adventure that year;¹³¹ and I have found no evidence that any of the other partners after this expended money in sustaining the enterprise. Gibbons does not appear to have been favorably impressed with "the merchants," and in a letter to Mason, in 1634, says that he should be very cautious how he dealt with them.¹³²

Mason and Gorges seem now to have carried on their enterprises separately. The latter informed George Vaughan, in 1636, that before the death of Mason they had made a division of their rights, Gorges taking the land from the Pascataqua

¹²⁸ In May, 1634, Gorges and Mason notified Gibbons of the partition, stating that, with the consent of their partners, they had made a division of all their lands lying on the northeast side of the river and harbor of Pascataqua. *Vide* LETTERS, *post*, May 5, 1634, Gorges and Mason to Gibbons.

¹²⁹ See the record in full in *New Hampshire Documents*, by J. S. Jenness, pp. 18, 19.

¹³⁰ Henry Josselyn in his receipt, July 20, 1634, speaks of "the adventurers that were associated in the company of Laconia." *Vide New Hampshire Provincial Papers*, Vol. I. p. 94.

¹³¹ LETTERS, *post*, May 5, 1634, Mason to Gibbons.

¹³² LETTERS, *post*, August 6, 1634, Gibbons to Mason.

Pascataqua to the Sagadahock, while that between the Merri-
mac and the Pascataqua was left to Mafon. Gorges further
faid that he was getting a patent from the king for his di-
vision, and that Mafon, if he had lived, would have taken a
patent for his part.¹²³

In May, 1634, Gorges and Mafon fent out the *Pied
Cow* again to New England. In it went people and provi-
fion for the feparate plantations,¹²⁴ Pascataqua and Agamen-
ticus. Henry Joffelyn was fent out by Mafon as fteward
or governor of his plantation; and with him went James
Wall, William Chadbourn, and John Goddard, carpenters,
with whom Mafon had, on the 14th of March preceding,
made a contract for five years, for them to build faw-
mills and houfes for him at Newichwannock.¹²⁵ A joint
letter from Gorges and Mafon, and an individual letter from
Mafon, both dated May 5, 1634, gave inftructions as to the
division of the houfehold ftuff, implements, and other mova-
bles, belonging to the company, left by Neale in the cuftody
of Gibbons and Warnerton. Mafon had bought the inter-
efts of the brothers John and William Cotton, fo that he
owned three fhares, and Gorges one fhare, making together,
as ftated, one half of the property. Cattle, and other
property

¹²³ Letter of Vaughan to Gibbons, London, April 10, 1636, in *New Hamp-
shire Provincial Papers*, Vol. I. p. 98.
It has been afferted and denied that
Capt. Mafon had his title confirmed by
the king after the furrender of the char-
ter of the New England Company.
Belknap, in his *History of New Hamp-
shire*, Vol. I. pp. 25, 26, gives a fummary
of evidence on both fides. There is
little probability that he received a grant

from the king, for Robert Mafon could
never produce a charter. If he had
been able to do fo, the right of govern-
ment in New Hampshire would have
been confirmed to him as that of Maine
was to Gorges.

¹²⁴ LETTERS, *poft*, May 5, 1634, Ma-
fon to Gibbons.

¹²⁵ The contract will be printed in
this volume. See LETTERS, *poft*, March
14, 1633-4.

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property there, are mentioned as the individual property of Mason.¹³⁶

The *Pied Cow* arrived, July 8, 1634, and on the 13th cast anchor at Newichwannock, about half a mile from the fall.¹³⁷ Winthrop, on or after July 9, makes this entry: "Sir Ferdinando Gorges and Capt. Mason sent [blank] to Pascataquack and Aquamenticus, with two saw mills to be erected, in each place one."¹³⁸ Evidently Winthrop understood that a part of the supplies in the *Pied Cow* were for Gorges's colony of Agamenticus. Mason mentions two mills that are to be set up on his own division by the people in this vessel;¹³⁹ and we learn from the deposition of James Wall, May 21, 1652, that, besides the saw-mill named by Winthrop, Wall and his partners above named set up for Mason at Newichwannock a stamping-mill for corn.¹⁴⁰

The *Pied Cow*, after taking in "ore" from the shores of the Pascataqua, was ready by the 6th of August to sail for Saco, where she was to receive clapboards and pipe-staves as the remainder of her cargo for England.¹⁴¹

There were probably at this time many settlers on the Pascataqua who had purchased¹⁴² or hired land from the Laconia

¹³⁶ LETTERS, *post*, May 5, 1634, Gorges and Mason to Warnerton and Gibbons, and Mason to Gibbons.

¹³⁷ LETTERS, *post*, August 6, 1634, Gibbons to Mason.

¹³⁸ *History of New England*, by John Winthrop, ed. by Savage, Vol. I. p. 137 (2d ed., p. 163).

¹³⁹ LETTERS, *post*, May 5, 1634, Mason to Gibbons. The carpenters commenced setting up the first mill July 22. See Gibbons's letter, Aug. 6, 1634, *post*.

¹⁴⁰ The original deposition is pre-

served in the *Massachusetts Archives*, Book III. p. 444.

¹⁴¹ LETTERS, *post*, August 6, 1634, Gibbons to Mason.

¹⁴² Capt. Neale while in New England conveyed, as agent of the Laconia partners, to Capt. Thomas Cammock a tract of land on the east side of the Pascataqua; and Gorges and Mason confirmed this conveyance by a deed dated May 1, 1634, printed in the *New England Historical and Genealogical Register*, Vol. XXXII. pp. 53, 54.

Laconia Company. Mafon and Gorges wished to encourage such settlements on their divisions, and state that besides shipping people to plant at their expense on their lands, they had given directions to invite, and authority to receive, "such others as may be had to be tenants, to plant and live there, for the more speedie peopling of the countrie."¹⁴³

Soon after the arrival of the *Pied Cow*, Gibbons left the employ of the adventurers, and before the close of August, had removed to Sanders Point, on the Pascataqua river, between Little Harbor and Sagamore Creek, where he received from the Laconia partners a grant of land for his services to the company. About this time Capt. Thomas Cammock, Thomas Warnerton, and Henry Josselyn, also stewards of the company, received proportionable grants on the other side of the river.¹⁴⁴ Humphrey Chadbourne is said to have been the successor of Gibbons in the charge of the plantation at Newichwannock.¹⁴⁵

Henry Josselyn, who succeeded Capt. Neale as governor of these plantations, was a son of Sir Thomas Josselyn, Knight, of Kent, England, and a brother of John Josselyn, author of "Two Voyages to New England" and "New England Rarities." He was born about the year 1611.¹⁴⁶ It is possible that he had made a previous visit to New England; for in 1631 he was either here or contemplated coming, being

54. References to other conveyances of land are found.

¹⁴³ LETTERS, *post*, May 5, 1634, Gorges and Mafon to Warnerton and Gibbons.

¹⁴⁴ LETTERS, *post*, July 4, 1661.

New Hampshire Provincial Papers, Vol. I. pp. 69, 81, 95.

¹⁴⁵ *Annals of Portsmouth*, by Nathaniel Adams, p. 19.

¹⁴⁶ *Vide* his deposition in 1661, LETTERS, *post*, July 4, 1661.

being named in the Laconia charter as one of the persons to give possession to the grantees.¹⁴⁷

Little is known of Josselyn's management of the plantations, but it is probable that it was satisfactory to his principal, Capt. Mason, though he did not discover, what Mason so ardently hoped for, a route to the lakes. His opportunity for developing the resources of the plantations was, however, of short duration; for in a little over a year after his arrival at Pascataqua Capt. Mason died. This event occurred between the 26th of November, when Mason signed his will, and the 22d of December, when it was admitted to probate.

Though others were interested in the settlements whose history has been given, it is evident that Capt. Mason was the prime mover in the colonization of that region; and he is so spoken of by Winthrop and Hubbard, and in documents of the seventeenth century. Winthrop considered him the chief antagonist of the Massachusetts Colony, and saw the hand of God in the removal of him by death when his plans were most threatening.¹⁴⁸

Before

¹⁴⁷ *Vide* CHARTERS, *post*, November 3, 1631.

¹⁴⁸ "One Capt. Mason of London, a man in favor at Court, and a professed enemy to us, had a plantation at Pascataquack; which he was at great charge about, and set up a saw-mill, but nothing prospered. He provided a ship, which should have been employed to have brought a general governour, or in some other design to our prejudice, but in launching of it her back was broken. He also employed Gardiner and Morton, and others, to prosecute against us at council table, and by a quo warranto,

etc., so as Morton wrote divers letters to his friends here, insulting against us, and assuring them of our speedy ruin, etc. But the Lord disappointed them, and frustrated all their designs. As for this Mason, he fell sick and died soon after, and in his sickness he sent for the minister, and bewailed his enmity against us, and promised if he recovered to be as great a friend of New England as he had formerly been an enemy." — *History of New England*, by John Winthrop, edited by James Savage, Vol. II. p. 12 (2d ed., p. 14). *Vide* also the same work, Vol. I. p. 187 (2d ed., p. 223).

Before Capt. Mafon's death, the three plantations of Pascataqua, Strawberry Bank, and Newichwannock seem to have fallen under his control. Francis Small, in his deposition made September 8, 1685, states that he had lived in the country upwards of fifty years. He says further:—

He very well knew the plantations Capt. Mafon had caused to be made at Piscattaway, Strawberry Bank and Newichwannock, and was well acquainted with the servants employed by Capt. Mafon upon the said plantations, some whereof are yet living; and that there was a great deal of stock at each of these plantations. And this deponent doth very well remember that Capt. Mafon sent into this country eight Danes to build mills to saw timber, and tend them, and to make potashes; and that the first saw-mill and corn-mill in New England was erected at Capt. Mafon's plantation at Newichwannock, upwards of fifty years—where was also a large house with all conveniences of out-houses, and well fortified with store of arms. That about forty years since the said house and buildings were burnt to the ground.¹⁴⁹

In the "Title of Robert Mafon to the Province of New Hampshire,"¹⁵⁰ in reciting what his grandfather had done, it is stated that—

The said John Mafon did settle a considerable colony at Pascataway River, and transported great store of cattle of all sorts, with large

¹⁴⁹ *New Hampshire Provincial Papers*, Vol. I. p. 45.

¹⁵⁰ This and other documents drawn up by or for Robert Mafon contain some manifest errors. *Vide* note by Charles Deane, LL.D., in the *Proceedings of the Massachusetts Historical Society*, Vol. XIV. p. 371. Dr. Deane, remarking on the statement, in another part of the document we quote, that Capt. John Mafon before his death had

"expended twenty thousand pounds" on his colonial enterprises, says: "This would be equivalent to five times that sum to-day. It is not probable," Dr. Deane adds, "that he spent a fourth part of it, or that he ever had such a sum at his disposal." Though there may be some exaggeration, and possibly confusion of places in the statements we quote, they have undoubtedly a basis of truth.

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large quantities of Amunition and provisions, and did build many houses upon the great Island which lyeth at the entrance of the said River, upon which he erected a Fort and mounted it with tenn Guns¹⁵¹ for the defence of the said Island and River ; and also within the said River, at a place now called Portsmouth, he built diuerse good houses wherof one was a very fair and large house of Stone and timber, and by him called Mason Hall, encompassed with a ditch and strong Pallisade and Fortified with eight Guns. Within the said Fort was a large Magazine furnished with Arms and amunition and other necessaries for the defence and protection of the Inhabitants, and had improved aboue one thousand acres of meadow ground. Also, at Newchwannock the said John Mason built a large dwelling house and store house, and fenced them with a strong Pallisade and mounted with six Guns, and upon the falls of the River he erected Four Saw mills and sundry houses for his Tenants and Servants.¹⁵²

Additional testimony in support of the claim made by Capt. Mason's grandson, that the territory of New Hampshire was settled at the expense of Mason and his associates, has been preserved. This claim, however, was denied by many of the inhabitants, and evidence to the contrary was produced.¹⁵³ The Council of New Hampshire, in their address to the king, May 31, 1681, say, in reply to Robert Mason :—

Wee

¹⁵¹ George Walton, of Great Island, who remembered the fort on that island very well, deposed, Dec. 18, 1685, that the fort was strong and substantially made, and that it was furnished with great guns, of which some were brass. Some of the guns were taken away by Richard and William Waldern. *Vide New Hampshire Provincial Papers*, Vol. I. p. 48.

¹⁵² *New Hampshire Documents*, by J. S. Jenness, pp. 77, 78. See also p. 55 of same work.

¹⁵³ For depositions and other documents in relation to what Capt. John Mason and his associates did towards the settlement of their grants, see *New Hampshire Provincial Papers*, Vol. I., and *New Hampshire Documents*, by John S. Jenness.

Wee are informed that he has no Authentique Originall or Dupliccate of any grant for the foyle, nor hath he in any measure attended the scope of such Grant (if any such had been made to him), viz. the peopling of the place and enlarging your Majesty's Dominions, both which have been vigorously attended by the present Inhabitants. The vast expence of estate is mostly if not merely a pretence. An house was hired in this province, but the disbursements laid out were chiefly in the Neighboring Province of Meyn, on the other side of the River, and for carrying on an Indian Trade in Laconia, in all which his Grandfather was but a partner, however he would appear among us as sole proprietor.

The plantation of Newichwannock was in 1681, it is true, in the Province of Maine; but Old Harbor, Strawberry Bank, and Great Island were in New Hampshire. In the last-named plantations the reader of these pages has evidence that considerable money was expended. This, however, the Council may have intended to include in the phrase "carrying on an Indian Trade in Laconia."

A list of the persons sent over to the plantations as stewards and servants is preserved, and was printed in 1848, in the "New England Historical and Genealogical Register." It will be reprinted in this volume.¹⁶⁴ The names of ten stewards, one chirurgion, and thirty-nine servants are given. The list also gives eight Danes, and twenty-two women whose names are not given. I have appended to it the names of eight persons who were employed at these plantations by Mafon or the adventurers.

The enterprize of Mafon and his associates had been an encouragement to others, to whom their plantations were a protection

¹⁶⁴ *Vide* LETTERS, *post*, July, 1635.

protection and aid. Before his death it had resulted in planting considerable settlements on the Pascataqua, though financially the partners themselves had reaped little benefit from their labors. Belknap, in the following extract from his "History of New Hampshire," pays a just tribute to their memory, and accounts for their want of success: —

Though Mason and Gorges had not the same religious views with the Massachusetts planters, yet their memory deserves respect. They were both heartily engaged in the settlement of the country; they sunk their estates in the undertaking, and reaped no profit to themselves; yet their enterprising spirit excited emulation in others, who had the advantage of improving their plans and avoiding their mistakes. Gorges accounted for the ill success of his adventures in the following manner.

1. He began when there was no hope of anything for the present but loss, as he had first to seek a place, which, being found, was a wilderness; and so gloomy was the prospect that he could scarce procure any to go, much less to reside in it; and those whom he at length sent, could not subsist but on the provisions with which he supplied them.

2. He sought not barely his own profit, but the thorough discovery of the country; wherein he went so far, with the help of his associates, as to open the way for others to make their gain.

3. He never went in person to oversee the people whom he employed.

4. There was no settled government to punish offenders or mispenders of their master's goods.

Two other things contributed to the disappointment in as great, if not a greater degree than what he has assigned. The one was that instead of applying themselves chiefly to husbandry, the original source of wealth and independence in such a country as this, he and his associates, being merchants, were rather intent on trade and fishery as their

their primary objects. These cannot be profitable in a new country until the foundation is laid in the cultivation of the lands. If the lumber trade and fishery cannot now be carried on to advantage without the constant aid of husbandry in their neighborhood, how could a colony of traders and fishermen make profitable returns to their employers, when the husbandry necessary for their support was at the distance of Virginia or England?

The other mistake which these adventurers fell into was the idea of lordship, and the granting of lands not as freeholds, but by leases subject to quit-rents. To settle a colony of tenants so far northward, where the charges of subsistence and improvement were much greater than the value of the lands after the improvements were made, especially in the neighborhood of so respectable and growing a colony as that of Massachusetts, was indeed a chimerical project; and had not the wiser people among them sought an union with the Massachusetts, in all probability the settlements must have been deserted.¹⁵⁵

What might have been the result of this enterprise, had not the death of Mason occurred at this time, and had he been permitted to come to New England and take charge of these plantations himself, no one can say; for he was a man of great energy, and seems to have succeeded in matters which he was able to supervise personally.

At the death of Mason, Henry Josselyn represented his interests in the New World; but soon after this event he removed to Black Point, now Scarborough, Maine. He was a commissioner under William Gorges, and attended at Saco the first recorded meeting of the commissioners, March 25, 1636.¹⁵⁶ It is not certain that he had then removed his residence

¹⁵⁵ *History of New Hampshire*, by Jeremy Belknap, Vol. I. pp. 29-31; Farmer's edition, pp. 16, 17.

¹⁵⁶ *New England Historical and Genealogical Register*, Vol. XXXIX. p. 359.

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residence to Saco, though some place his removal there in the year 1635.¹⁵⁷ Robert Mason represents him as overseeing the property of Mason's heirs till Capt. Francis Norton was made steward in 1638;¹⁵⁸ and though he had evidently removed from the Pascataqua before 1638, he may have performed his duties through an agent. That he acted as a representative of the Laconia partners after he left their plantations is evident. On the 1st of October, 1637, he with Richard Vines and Thomas Warnerton, representing themselves to be the duly appointed agents of Gorges, Mason, and their associates, conveyed land on Great Island to Francis Matthews.¹⁵⁹

The custody of the plantation at Newichwannock when Mason died was, as near as I can learn, in the hands of Humphrey Chadbourne, and that of the plantation at Strawberry Bank in Thomas Warnerton's hands.

In 1638 Mrs. Anne Mason, the widow and executrix of Capt. John Mason, appointed Francis Norton her "general attornie," and committed to him the whole management of her estate in these parts, as is shown by a letter from her to Ambrose Gibbons, dated at "East Greenwich, May 6, 1638," in which she requests Gibbons to deliver property in his hands, belonging to her late husband, to Norton.¹⁶⁰

Francis Norton was then a resident of Charlestown, Massachusetts, where he was an inhabitant as early as 1637, and in 1638 had a dwelling-house in Middle Row, besides other real

¹⁵⁷ *New England Historical and Genealogical Register*, Vol. XL, pp. 290-294.

¹⁵⁸ *Vide New Hampshire Documents*, by J. S. Jenness, pp. 56, 78.

¹⁵⁹ *New Hampshire Provincial Papers*, Vol. I. pp. 98, 99.

¹⁶⁰ *Ibid.*, Vol. I. p. 99. See also *New Hampshire Documents*, by John S. Jenness, pp. 56, 78.

real estate.¹⁶¹ The precise date of his removal to the Pascataqua is unknown. He continued to have charge of the property here for two or three years, when he found that the situation of affairs did not warrant him in continuing to carry on the plantations. "The expense," says Belknap, "exceeded the income, and the servants became impatient for arrears." It was determined "to relinquish the plantation and tell the servants they must shift for themselves."¹⁶²

Norton's residence was then, as it probably had been while he had charge of the Mason property, at the "Great House" at Little Harbor. After deciding to remove from the Pascataqua, he drove about one hundred head of cattle to Boston, where he sold them. These cattle were then worth £25 a head.¹⁶³ He did not return, but resumed his residence in Charlestown. The date of his removal I have not been able to ascertain, but it was probably in the autumn of 1641. Four persons who testify in 1685 in relation to the driving of the cattle to Boston, state that it was about forty years previous.¹⁶⁴ But I have noticed that there is danger of taking such statements too literally, especially if the term of years is a multiple of ten or five. Norton was admitted a member

¹⁶¹ *History of Charlestown*, by T. B. Wyman, Vol. II. p. 710. *Third Report of Record Commissioners of Boston*, 1877, Charlestown Land Records, p. 55. If Francis Norton was, as some suppose, the Capt. Norton whom Gorges and Mason request Warnerton and Gibbons to consult relative to laying out the lines dividing their lands from the other partners, he was probably in New England in 1634. *Vide New Hampshire Provincial Papers*, Vol. I. p. 88.

¹⁶² *History of New Hampshire*, by Jeremy Belknap, Vol. I. pp. 38, 39.

¹⁶³ This price is given in the depositions of Francis Small, Nathaniel Boulter, and John Redman in the *New Hampshire Provincial Papers*, Vol. I. pp. 45-48. Thomas Hutchinson in his *History of Massachusetts*, Vol. I. p. 93, states that the price of cattle fell in 1641 from £25 and £30 to £5 and £6.

¹⁶⁴ *New Hampshire Provincial Papers*, Vol. I. pp. 45-48.

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member of the church at Charlestown April 10, 1642,¹⁶⁵ and a freeman of Massachusetts on the 18th of the following month.¹⁶⁶

We are informed by Francis Small, in his deposition, September 8, 1685, that after Norton had left the place "the other servants shared the residue of the goods and stock among them, which was left in that and the other plantations, and possessed themselves of the houses and lands."¹⁶⁷

In the "Title of Robert Mason," probably written in 1677, it is stated that Norton was "a person wholly at the Devotion of the Massachusetts Government, a favourer of their principles and proceedings, and for his own private ends connived at their encroachments."¹⁶⁸ As a resident of Massachusetts, and a church member there, no doubt Norton was in sympathy with the political and religious views of the people of that colony. This would naturally create suspicion in the minds of the Masons, even though Norton's conduct may have been in every way upright and honorable.

The patents from the Council of New England gave no powers of political government over the settlers. Albert H. Hoyt, A.M., in his "Historical and Bibliographical Notes on the Laws of New Hampshire," after describing the authority which the overseers or superintendents of the different plantations necessarily exercised over the settlers, most of whom were servants in the employ of the grantees, remarks

¹⁶⁵ *Charlestown Church Records*, by J. F. Hunnewell, p. 10; *New England Historical and Genealogical Register*, Vol. XXIII. p. 280.

¹⁶⁶ *Massachusetts Colony Records*, Vol. II. p. 291; *New England Historical*

and Genealogical Register, Vol. III. p. 189.

¹⁶⁷ *New Hampshire Provincial Papers*, Vol. I. p. 45.

¹⁶⁸ *Vide New Hampshire Documents*, by John S. Jennefs, p. 78.

marks: "As the population increased and local causes began to operate, a more efficient government, involving a larger representation of interests, became both convenient and necessary."¹⁶⁹ To supply the want, voluntary combinations were drawn up and signed by the inhabitants of the several plantations in this region.¹⁷⁰ That at Exeter was signed April 3, 1638, at the time the settlement was made there. The original is still preserved. The Dover settlers formed a combination for government not long after this, but neither the document nor the names of the signers are preserved.¹⁷¹ We are more fortunate in regard to a second combination at Dover, October 22, 1640; for though the original is wanting, a copy with all the signatures is preserved in the Public Record Office, London.¹⁷² There was a combination at Strawberry Bank; but here also neither the date, form, nor signers are known. A combination is spoken of in the grant of glebe land by "the inhabitants of the lower end of the Pascataquack," May 25, 1640,¹⁷³ and this grant is signed by "Francis Williams,¹⁷⁴ Governor." Mr. Williams is mentioned

¹⁶⁹ *Proceedings of the American Antiquarian Society*, April, 1876, p. 90.

¹⁷⁰ A similar exigency led the Pilgrim Fathers to draw up the famous Compact on board of the *Mayflower*.

¹⁷¹ *First Church in Dover, New Hampshire, 250th Anniversary*, 1884, by A. H. Quint, p. 21.

¹⁷² It is printed in full in *New Hampshire Documents*, by J. S. Jenness, pp. 36, 37, and in Quint's *First Church of Dover*, p. 21.

¹⁷³ This grant is printed in full, with all the signers' names, in *Annals of Portsmouth*, by Nathaniel Adams, pp. 394, 395.

¹⁷⁴ I find no evidence to show when Francis Williams came over. He is said by Hubbard to have been sent over to take charge of the salt-works. *History of New England*, p. 219. Belknap states that in 1634 Mason and Gorges "sent over a fresh supply of servants and materials for carrying on the settlement, and appointed Francis Williams their governor." *History of New Hampshire*, Vol. I. p. 23. I find no evidence of such an appointment, and he is not mentioned as holding this office in any of the numerous documents of the Masons. Hubbard states that Williams soon after the date of this grant removed

tioned by Gov. Winthrop as the "governour of those in the lower part of the river" in his account of the troubles in the Dover plantation, which he records early in 1641.¹⁷⁶ Evidently Little Harbor and Great Island, as well as Strawberry Bank, are included in this combination.

It was not long before many of the inhabitants of these towns sought the aid and protection of their powerful neighbor the Colony of Massachusetts. That colony readily aided them, and finally extended its jurisdiction over all the Pascataqua settlements. Under its laws the people here found tranquillity and security, though they lost something of their former liberty.

Thomas Warnerton continued in charge of the house at Strawberry Bank till about the year 1644, when, according to the testimony of Small, he carried "quantities of goods and arms belonging unto Capt. Mafon's plantation and sold them to the French that did inhabit at Port Royal."¹⁷⁸ In that year, as Winthrop informs us, he with Richard Vines of Saco and Abraham Shurt of Pemaquid went to collect debts of M. La Tour, and on their way stopped at M. D'Aulnay's fort on the Penobscot, where they were detained as prisoners, but were released in a few days. They then went to La Tour's fort, and Warnerton was induced to go with some Englishmen and about twenty of La Tour's men to attempt the capture of the Penobscot fort, which they understood was weakly manned and in want of victuals. A farmhouse

from this country to Barbadoes, where he died. *History of New England*, by William Hubbard, p. 220.

¹⁷⁶ *History of New England*, by John

Winthrop, Savage's ed., Vol. II. p. 27 (2d ed. p. 33).

¹⁷⁸ *New Hampshire Provincial Papers*, Vol. I. p. 45.

house about six miles from the fort was taken and burnt, but Warnerton lost his life in the attack. The capture of the fort was not attempted. Warnerton is described by Winthrop as "a stout man" who had "been a soldier many years and lived very wickedly." Lately he had been alarmed at his spiritual condition by preaching which he had heard; but he had shaken off his fears and returned to his dissolute life before he met his fate.¹⁷⁷ After Warnerton's death, as Francis Small¹⁷⁸ testifies, "Sampson Lane came over from England with power, as he pretended, to look over and take care of the aforesaid plantations, and did settle himself in the great house at Strawberry Bank, and made additions thereunto, where he continued about three years, and then returned

¹⁷⁷ "4 & 5," that is, June and July, 1644. "About this time Mr. Vines of Saco, Mr. Short of Pemaquid, and Mr. Wannerton of Pascataquack, went to La Tour to call for some debts, etc. In their way they put in at Penobscott, and were detained prisoners a few days; but after, for Mr. Short's sake, to whom D'Aulnay was in debt, they were dismissed; and going to La Tour, Mr. Wannerton and some other Englishman of the eastern parts were entertained by him, and sent with some twenty of his men to try if they could not take Penobscott, for he understood the fort was weakly manned and in want of victual. They went first to a farm-house of D'Aulnay's, about six miles off, and there Wannerton and two more went and knocked at the door, with their swords and pistols ready. One opens the door and another presently shoots Wannerton dead, and a third shoots his second in the shoulder, but he withal discharged his pistol upon him and shot him and killed him. Then other of

Wannerton's company came in and took the house and the two men (for there were no more) prisoners, and they burnt the house and killed the cattle they found there, and so embarked themselves and came to Boston to La Tour." — *History of New England*, by John Winthrop, Savage's ed., Vol. II. p. 178.

For notices of Warnerton, see Savage's edition of Winthrop, pages above cited; paper by Charles Deane, LL.D., on the Indenture of David Thomson and Others, in the *Proceedings of the Massachusetts Historical Society*, Vol. XIV. p. 381; *Ancient Pemaquid*, by J. W. Thornton, pp. 93, 94; *New Hampshire Provincial Papers*, edited by Rev. N. Bouton, D.D., Vol. I. pp. 69, 70. Dr. Bouton supposes that this Thomas Warnerton was the Laconia partner who bore this name, but Dr. Deane shows that this could not be. His surname is often spelled Wannerton, and possibly that may be his real name.

¹⁷⁸ *New Hampshire Provincial Papers*, Vol. I. pp. 45, 46.

turned to England, upon whose departure John and Richard Cutts came into possession of the house and lands at Strawberry Bank," but Small did not know by what right.

In 1651 Mrs. Anne Mason, who then resided in London, sent over her kinsman Joseph Mason to take charge of her affairs here. A power of attorney, authorizing him to have the custody of and to dispose of all goods and lands belonging to Capt. John Mason at the time of his death, was executed by Mrs. Mason, March 3, 1650-1.¹⁷⁹ Mr. Mason arrived in this country in the spring or summer following. He found that Richard Leader¹⁸⁰ had that year taken possession

¹⁷⁹ *New Hampshire Documents*, by J. S. Jenness, p. 38.

¹⁸⁰ Richard Leader was a prominent man in Massachusetts before his removal to Newchwannock. Charles E. Banks, M.D., of Chelsea, Massachusetts, has furnished me with the following account of him:—

Richard Leader, so intimately involved in the legal controversy concerning Mason's property, "was formerly employed in Ireland about mynes" before his emigration to New England. *Vide* Downing to Winthrop, *Massachusetts Historical Collections*, Fourth Series, Vol. VI. p. 61. He came hither in 1645 under a contract for seven years, at an annual salary of £100, to superintend the Iron Works at Lynn; and the Adventurers paid the passage-money "for himselfe, his wife, 2 children, 3 servants." Downing writes that "if Mr. Leader had stood upon yt he might have had 150 *li* per annum." *Ibid.* The same writer says he was "a perfect Accountant, [and] hath skill in mynes and tryall of mettalls." When Child, Maverick, and Vassall were imprisoned by the General Court in 1646 for their alleged treasonable petition for freedom of worship,

they were "confined to M. Leaders house." *New England's Jonas*, by John Child, p. 36, ed. 1869. At this house we have evidence of the culture of the man in a description left us by Dr. Robert Child concerning his library: "Mr Leader," he says, "hath more curious bookes than I, especially about Divinity buisnesses." *Vide Massachusetts Historical Collections*, Fifth Series, Vol. I. p. 162. That his theological library had an anti-Puritanical bias we may well believe, for his Episcopal views found expression in criticisms of the church at Lynn and of other places, which was "construed as a threat and slander of the Government," and he was fined £50 for his contempt and held in the same sum for his future good behavior. *Vide Ecclesiastical History of New England*, by Joseph B. Felt, LL.D., Vol. II. p. 43. This was in June, 1651, by which time he had severed his connection with the Iron Works, before the expiration of his contract; a change which had its beginning, doubtless, in a lack of sympathy with the religious views of his employers. Downing writes to Winthrop, 24 February, 1650-1: "I suppose you haue heard how Mr Ledar hath left the Iron

fion of the land at Newichwannock, and, July 4, 1651, issued a protest against his occupation of the property.¹⁸¹ Mason brought an action of trespass against Leader in the county court for the county of Norfolk in the Massachusetts Colony. The defendant pleaded that the lands at Newichwannock were not within the jurisdiction of Massachusetts. The Norfolk court, which was held at Salisbury, decided not to act in the matter, but to refer the case to the General Court of the colony, at its annual session in May, 1652.¹⁸²

The

Iron Works, and lives at present in Boston; he is about erecting a saw mill at a place nere Pascattaway, that shall work with nere 20 sawes at once." *Vide Massachusetts Historical Collections*, Fourth Series, Vol. VI. p. 76. This new project Leader proceeded to execute, and in Maine he found himself among people of his own church principles. But hardly had he started in this enterprise when he was arrested upon a warrant, dated 2 December, 1651, "for building & erecting certaine houses vpon the lands about Newitchewannick in ye province of Maine, & for disposing of ye goods without license & for cutting down ye tumber," there to erect a saw-mill. *Massachusetts Archives*, Vol. XXXVIII. p. 71. For this he was held and gave bonds in £1,000 with Richard Cutt of Portsmouth, whom he calls "my brother." He became a member of the provincial government under Edward Godfrey in 1652, and in December of that year was sent by his colleagues to England as a bearer of their remonstrance to Cromwell against the usurpation of Massachusetts. While in London he sold one quarter of his mill privileges to John Becc & Co. Becc was one of the Adventurers in the Iron Works at Lynn, of which Leader had been superintendent; and this conveyance may

have been a part of their previous business transactions. Upon his return he probably settled in Kittery, as in 1653 and 1654 he had five grants of land in this town. He died "within the province" of Maine before the 27th of December, 1661, at which time Robert Jordan was appointed to administer his estate. *Colonial Papers*, Vol. XV. p. 96. It is probable that he had been dead several years. He left but one child of whom we have any present knowledge, a daughter Anna, who married a Clark of Portsmouth. She calls herself, in her petition of 1720, "the only surviving child . . . of Mr Richard Leader" and "Neece and nearest Relation of Mr George Leader." *Vide York County Probate Records*; compare *New England Historical and Genealogical Register*, Vol. XXXIV. p. 407.

George Leader, the brother of Richard Leader, settled at Newichwannock in 1652, probably as an assistant to Richard, and served on the Grand Jury in 1654.

¹⁸¹ This protest is printed in *New Hampshire Documents*, by John S. Jenness, p. 38.

¹⁸² The writ of attachment dated December 2, 1651; the bond of Mason bearing the same date, for £10 to prosecute the case "at y^e court to be holden at Salisbury

The Court of Election of the Massachusetts Colony, to which the case was referred, commenced its session at Boston on the 26th of May, 1652. Before taking action on this case, a survey of the northern boundary was ordered.¹⁸⁸ A hearing was given to Mr. Mason, but the decision of the court was not rendered till August, 1653. The committee on the boundary had before this reported that the northern boundary of the colony was three miles north of the latitude $43^{\circ} 40' 12''$, where the "Aquedahtan," which they consider the head of the Merrimac, issues out of Lake Winnepesaukee. The court therefore determined that the lands in question lay wholly within the jurisdiction of Massachusetts. It found that some lands at Newichwannock and the rivers there, by agreement of Sir Ferdinando Gorges and others, were apportioned to Capt. John Mason, and that he also had a right, by purchase of the Indians, to some lands there, "as also by possession and improvement by building and otherwise;" that the lands in question were bequeathed by Capt. Mason to his wife during her life; and that Leader had unjustly entered upon and dispossessed Mrs. Mason of that part of the river, and of some lands where he had erected a saw-mill. The court therefore ordered that "a quantitie of land, with priviledge of the riuer, at Newitchawannicke, proportionable to Capt. Jn^o Masons disburfments, be lajd out by order of this

Salisbury y^e (2) (3) day of y^e next (2) month" [*query*, April 13, 1652]; the bond of Leader for £1000 to appear at the said court, and the decision of the court, — are all preserved in the *Massachusetts Archives*, Vol. XXXVIII. pp. 70, 71.

¹⁸⁸ *Massachusetts Colony Records*,

Vol. III. p. 278; Vol. IV. pp. 93, 109. This was the famous survey made by John Sherman and Jonathan Ince under the direction of Capt. Edward Johnson and Capt. Simon Willard, the committee appointed by the General Court. See accounts by Col. Philip Carrigan in the *New England Historical and Genealogical*

this Court to the use of M^{rs} Ann Mason and other the heires of Capt. Jn^o Mason." ¹⁸⁴

While the action against Richard Leader was before the Massachusetts General Court, Joseph Mason prepared a petition to that court, which he presented at the session May 6, 1653, the session to which the decision in the Leader case had a year previous been assigned. The petitioner complained that encroachments had been made on his client's property at Strawberry Bank and elsewhere, and that her tenants who held leases of lands had been molested.¹⁸⁵ In the "Title of Robert Mason," it is stated that the court gave no answer to this petition.¹⁸⁶ Nothing relative to it appears on the General Court records. It may be that Portsmouth, as Strawberry Bank was now called, being recognized as a township in the county of Norfolk, and being represented as such in the General Court of Massachusetts, the members judged that the Norfolk county court was competent to hear and decide these matters. On the 5th of July, 1653, Mason set up a writing on the doors of the meeting-houses at Dover, Exeter, Portsmouth, and other places, protesting against the proceedings of the Massachusetts government and forbidding all persons to graze upon their lands, to cut grass or fell timber "without licence or composition first had or obtained from the said Joseph Mason." ¹⁸⁷

Mrs. Anne Mason

logical Register, Vol. I. pp. 311-314; by James Kimball in *Historical Collections of Essex Institute*, Vol. XIV. pp. 153-171; by William F. Poole, LL.D., in the Introduction to his edition of the *Wonder Working Providence* (1867), pp. cxii-cxiv.

¹⁸⁴ *Massachusetts Colony Records*,

Vol. IV. p. 156. See also Vol. III. pp. 279, 309; Vol. IV. pp. 94, 138.

¹⁸⁵ The petition is printed in *New Hampshire Documents*, by John S. Jennefs, pp. 40-42.

¹⁸⁶ *New Hampshire Documents*, by J. S. Jennefs, p. 79.

¹⁸⁷ *Ibid.*

Mrs. Anne Mason died in 1655; and her grandson Robert Tufton *alias* Mason, now in his twenty-first year, became the executor of her estate. Her death left him the sole heir to this property. His kinsman, Joseph Mason, continued to act as the agent of the estate in New England till the autumn of 1667, when he returned to England.¹⁸⁸ During the last years that he remained here he probably did not perform much active service, as Robert Mason on the 3d of May, 1664, writes from London to Richard Nicholls, one of the King's Commissioners, that Joseph Mason, though formerly his agent, was "by reason of his age not able any longer to act therein."¹⁸⁹

In 1659, after the resignation of Richard Cromwell as Protector, Robert Mason united with Edward Godfrey, Ferdinando Gorges, grandson of Sir Ferdinando Gorges, and others, in petitioning Parliament for relief in New England matters.¹⁹⁰ The restoration of the monarchy took place the next year. Mason and others in that year presented a petition to Charles II. to the same purport, and requested that their

¹⁸⁸ Joseph Mason is referred to by Nicholas Shapleigh in his letter to Robert Mason, May 20, 1667, as being about to sail for England in the ship *Great Duke of York*, in *New Hampshire Documents*, by J. S. Jennefs, p. 53. It would seem, however, that he did not return then, as in the *Title of Robert Mason* (*Ibid.*, p. 82), Capt. Robert Pike is mentioned as having negotiations, in September, 1667, with Joseph Mason, "who was then returning for England."

¹⁸⁹ William M. Sargent, Esq., of Portland, Maine, quoting *York Registry*, Vol. II. p. 36. Joseph Mason was then about seventy years old, as is shown by his

deposition in May, 1652, when he deposed that he was about fifty-eight years old, showing that he was born about 1594. *Vide New Hampshire Provincial Papers*, Vol. I. p. 102.

¹⁹⁰ The petition, which is printed in full by Charles E. Banks, M.D., in the Appendix (pp. 41-46) of his edition of Gardner's *New England's Vindication*, published, in 1884, by the Gorges Society, is from Edward Godfrey, Oliver Godfrey, Ferdinando Gorges, Robert Mason, Edward Rigby, Henry Gardner, and others, patentees and inhabitants of the provinces of Maine and Laconia.

their case be referred to Lord Willoughby and ten others named in their petition.¹⁸¹ About the same time Mason seems to have presented a separate petition in relation to his title, which was referred by the king, October 25, 1660, to Sir Geoffrey Palmer, the attorney-general. Palmer reported, November 8, 1660, that "the petitioner, Robert Mason, who is grandson and heire to John Mason, hath a good and legal right and title to the lands."

The king also complied with the wishes of the other petitioners, and, November 17, 1660, referred the petition of Godfrey, Gorges, Mason, and others to the "lords, knights, and others" named in the petition, or any three of them. The referees publicly announced that they would give the petitioners a hearing in London on the 21st of January, 1660-1, and notified others interested to appear. Capt. John Leverett appeared in behalf of Massachusetts, but stated that, though formerly an agent of the colony, he had now no authority to act in its behalf. The committee made a report, in which the action of Massachusetts was censured. They decided that "Robert Mason and Edward Godfrey have been damnified in their plantations and estates to the

¹⁸¹ The petitioners are Robert Mason, Edward Godfrey, Henry Gardiner, George Griffine [Griffith?], and others, patentees of the provinces of Hampshire and Maine, and of other tracts of lands in New England. They ask the king to appoint as referees Lord Willoughby, Lord Baltimore, Robert Mason, Doctor of Laws and Master of Requests to his Majesty, Sir James Bunce, Bart., Sir John Jacob, Sir Nicholas Crisp, Sir Richard Ford, John Exton, Gyles Sweet, William Turner, and John Myles, the

last four doctors of laws, and Thomas Povey. The report is signed by Mason, Bunce, Exton, Povey, Sweet, Ford, and Myles. The several documents, namely, the reports of Sir Geoffrey Palmer, the petition of Mason and others, the king's order, and the report of the referees, are printed in full in the *Historical Collections*, by Ebenezer Hazard, Vol. II. (1794), pp. 574-579, and in the *Collections of the New Hampshire Historical Society*, Vol. I. (1824), pp. 327-333.

the valew of five thousand pounds, according to the judgment and estimation of severall witnesse examined in that behalfe."

On the 25th of April, 1664, the king appointed Col. Richard Nicholls, Sir Robert Carr, Col. George Cartwright, and Samuel Maverick commissioners to proceed to New England, with power to determine "all complaints and appeals in all causes and matters, as well military as criminal and civil."¹⁹² Mason and the heir of Edward Godfrey¹⁹³ about this time petitioned the king that he would refer their claims to the decision of the royal commissioners.¹⁹⁴ The commissioners arrived in New England in the summer of 1664, and proceeded to act as directed in their commission. They heard at Pascataqua the cause of Mason. They decided that the province was not within the jurisdiction of Massachusetts, but took no action to reinstate Mason in his possessions, except by attempting to set up a government¹⁹⁵ under

¹⁹² The commission is printed in the *History of Massachusetts*, by Thomas Hutchinson, Vol. I. (1764), pp. 535, 536.

¹⁹³ Dr. Charles E. Banks, author of the *Life and Letters of Edward Godfrey*, which will appear in the forthcoming volume of the *Collections of the Maine Historical Society*, First Series, Vol. IX., informs me that the "heire of Edward Godfrey" must have been his grandson Oliver, an infant son of his "onely sonne Oliver." Oliver was churchwarden of Seal, Seven Oaks, co. Kent, and was buried there 23 October, 1661, leaving a widow and two infant sons, Oliver and Charles, the latter of whom was buried 15 April, 1664. Edward, the patentee, was alive in April, 1663, as an inmate of Ludgate, the poor debtors' prison.

¹⁹⁴ The petition is printed in the *Collections of the New Hampshire Historical Society*, Vol. I. (1824), pp. 333, 334.

¹⁹⁵ See *Address of Massachusetts Colony to the King*, October 25, 1664, in *Massachusetts Colony Records*, Vol. IV. part ii. pp. 129-133, and in the *History of Massachusetts*, by T. Hutchinson, Vol. I. (1764), pp. 537-543; *Narrative of the Commissioners in the Collection of Papers* by Thomas Hutchinson (1769), pp. 412-425; Prince Society's ed., Vol. II. (1865), pp. 140-153; and the letter of Charles II. to the Massachusetts Colony in 1666 in the *History of Massachusetts*, by T. Hutchinson, Vol. I. (1764), pp. 547, 548, and in *Maine Documents*, by George Folger (1858), pp. 75, 76.

under which his claims could be tried. The attempt was a failure, and the Massachusetts authorities "continued to exercise jurisdiction, appoint officers, and execute the laws in these towns as they had done for twenty-five years, to the general satisfaction of the people, who were united with them in principles and affection."¹⁹⁶

In 1667 Joseph Mason, the agent of Robert Mason, returned to England. He assured his relative that the inhabitants of the province desired to comply with the king's pleasure to have his government established over them. He brought over affidavits taken before Francis Champernowne,¹⁹⁷ one of the justices of the peace there, that all the masts sent from New England that year in the ship *Great Duke of York*, and all that had been sent to England within the past two years, were cut from the lands of Mason.¹⁹⁸

In 1671 Robert Mason, as the proprietor of New Hampshire, and Gorges, as the proprietor of Maine, petitioned his Majesty to take into consideration the settlement of affairs in New England, and the restoring of the petitioners to their rights

¹⁹⁶ *History of New Hampshire*, by J. Belknap, Vol. I. (1784), p. 117.

¹⁹⁷ Capt. Francis Champernowne was the ninth child and youngest son of Arthur Champernowne by his wife Bridget, daughter of Sir Thomas Fulford. He was born in the parish of Dartington, Devonshire, where he was baptized in October, 1614. He was a relative of Sir Humphrey Gilbert and Sir Walter Raleigh, whose mother was Katharine, sister of Sir Arthur Champernowne, the great-grandfather of Francis. He came to New England and settled at Kittery, Maine. He died between November 16, 1686, and September 20, 1687. His

will is printed in the *New England Historical and Genealogical Register*, Vol. XXVII. pp. 146-148. Mr. Tuttle contributed a series of articles on Francis Champernowne and his ancestry to the above-named periodical, Vol. XXVIII. pp. 75-82, 318-323, 403-409. He left in manuscript a work on the Life and Times of Capt. Francis Champernowne, now in the possession of his widow, Mrs. Mary P. Tuttle, which it is hoped may before long be published.

¹⁹⁸ *Title of Robert Mason*, in *New Hampshire Documents*, by J. S. Jenness, p. 59.

rights. The king referred the matter to the Lords of Trade and Plantations, who reported in August, 1671, advising that commissioners be sent to New England to ascertain the differences relating to the boundaries, and to settle them amicably, if possible; if not, to report the case to his Majesty for his determination.¹⁹⁹ On the 19th of September the Earl of Arlington informed the Council that the king had decided to send commissioners to New England, and requested them to prepare instructions to be ready by the next spring, and to oblige Mason and Gorges to promise that they would not sell their interests in New England without the king's permission.²⁰⁰ In March, 1672, war was declared with Holland, and nothing further was done, "the whole attention of the government of England being taken up with things that more immediately concerned themselves."²⁰¹

Two years after, Henry, Earl of Stirling, with Gorges and Mason, submitted a proposal to the king to surrender their patents to the crown, so that his Majesty would have a clear right to send over a general governor for the three provinces, and to take new grants from the king entitling them to "one th[ird?] part of the Customs, Rents, Fines, and other Profits which should be made in the said provinces, or such other reasonable compensation in lieu thereof as His Majesty might think fit." This proposal was laid before the Privy Council

¹⁹⁹ A letter of Nicholas Shapleigh, May 20, 1667, to Robert Mason on the state of his province and what would be necessary to establish it, and Mr. Mason's account of the commodities of New Hampshire, December 11, 1671, both preserved in the British State Paper

Office, are printed in *New Hampshire Documents*, by J. S. Jenness (1876), pp. 52-55.

²⁰⁰ *New Hampshire Documents*, by J. S. Jenness (1876), pp. 58, 59.

²⁰¹ *History of New Hampshire*, by J. Belknap, Vol. I. (1784), p. 118.

on the Pascataqua.

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Council March 20, 1673-4, and was referred to the Lords of Trade and Plantations.²⁰²

The war with Holland had closed in February. Charles II., finding the heirs of Gorges and Mason inclined to sell their rights in New England, entertained the project of purchasing the provinces of Maine and New Hampshire to make a government for the Duke of Monmouth. "The duke himself," says Belknap, "was greatly pleased with the scheme, as he had been told that an annual revenue of five thousand pounds or more might be collected from these provinces. But by the more faithful representations of some persons who were well acquainted with the country, he was induced to lay aside the project."²⁰³ Belknap further informs us that, "the scheme of selling the provinces of New Hampshire to the crown being laid aside, Mason again petitioned the king for

²⁰² A copy of this petition will be found in the *Massachusetts Archives*, Vol. III. p. 302. It is entitled "The Humble Propofalls of William Earl of Stareling, Ferdinando Gorges, Esqr., and Robert Mason," but is signed only by Robert Mason. Though there is an error in the Christian name of the then Earl of Stirling, which may be a mistake of the copyist, I presume that this nobleman authorized the use of his name. The Earl of Stirling at that time was Henry Alexander, the fourth Earl, who was a son of Henry, the third Earl, and a grandson of the first Earl, Sir William Alexander, whose life and services, particularly in American Colonization, are the subject of a volume edited by the Rev. Edmund F. Slafter, A.M., and issued by the Prince Society in 1873. Henry Alexander, fourth Earl of Stirling, died in 1690. *Vide Sir*

William Alexander and American Colonization, p. 114; *Peerage of Scotland*, by Robert Douglas (1764), p. 643; *Vindication of the Rights and Titles of Alexander, Earl of Stirling and Doan*, by John L. Hayes (1853), folding pedigree. Mason considered the proposal of the Earl of Stirling, Gorges, and himself "very advantageous to his Majesty." *Vide Title of Robert Mason to New Hampshire*, March, 1674-5, in *New Hampshire Documents*, by J. S. Jennefs, pp. 54-60.

²⁰³ *History of New Hampshire*, by J. Belknap, Vol. I. (1784), pp. 118, 119. *Vide* also letters of the Rev. John Collins, Major Robert Thomson, Gov. John Leverett, in *A Collection of Original Papers*, by T. Hutchinson (1769), pp. 451, 452, 462-475; Prince Society's ed. Vol. II. (1865), pp. 183, 184, 195-209.

for the restoration of his property; and the king referred the matter to his attorney-general, Sir William Jones, and his solicitor-general, Sir Francis Winnington, who reported that 'John Mason, Esq., grandfather of the petitioner, by virtue of several grants from the Council of New England, under their common seal, was instated in fee in fundry great tracts of lands in New England by the name of New Hampshire; and that the petitioner, being heir at law to the said John, had a good and legal title to said lands.'²⁰⁴ Whereupon a letter was despatched to the Massachusetts Colony, requiring them to send over agents within six months, fully empowered to answer the complaints which Mason and the heirs of Gorges had made."²⁰⁵

In 1676 Edward Randolph,²⁰⁶ a relative by marriage of Robert Mason,²⁰⁷ brought to Massachusetts the letter referred to, and copies of the petitions and complaints of Mason and Gorges. Randolph, who now appears on the stage in the interest of his kinsman, afterwards became one of the most aggressive opponents of the Charter of Massachusetts and the government under it. The king's letter was dated March 20, 1675-6. Randolph arrived, June 10, 1676, at

²⁰⁴ *MS. copy in Superior Court files.* Marginal authority of Belknap for his quotation.

²⁰⁵ *History of New Hampshire*, by J. Belknap, Vol. I. pp. 164, 165.

²⁰⁶ Edward Randolph was a son of Edmund Randolph, a physician of Canterbury, England, where he was baptized July 9, 1632. Mr. Tuttle read a biographical sketch of him before the Massachusetts Historical Society, February 12, 1874, and his paper appears in the Proceedings of that Society, Vol. XIII.

pp. 240-242. A sketch by Mr. G. D. Scull is printed in the *New England Historical and Genealogical Register*, Vol. XXXVII. pp. 155-159, 267-274.

²⁰⁷ Randolph's first wife was Jane, daughter of Thomas Gibbon, of West Cliff, in Kent. Her brother, Richard Gibbon, married Ann Tufton, sister of Robert Mason. Another son of Thomas Gibbon and brother of Jane and Richard was Matthew Gibbon, the grandfather of Edward Gibbon, the celebrated historian.

at Boston, and delivered the king's letter to Gov. John Leverett.²⁰⁸ The same day, by invitation, he attended a meeting of the magistrates, where the letter was read. In his letter the king "commanded that agents should be sent over to appear before him, in six months after the receipt of the letter, fully instructed and empowered to answer."²⁰⁹ A special session of the General Court was summoned to meet on the 9th of August, at which a committee of eight, of which Simon Bradstreet was chairman, was chosen to prepare a letter to the king and an answer to the two petitions of Mason and Gorges.²¹⁰ The session was adjourned to the 6th of September, at which it was decided to send over agents, and William Stoughton and Peter Bulkley were appointed as such. A letter to the king, a declaration of the right of the colony to the lands claimed by Mason and Gorges, and instructions to Stoughton and Bulkley were adopted.²¹¹

Randolph left Boston July 30, 1676, and arrived at Dover, England, on the 20th of September.²¹² Stoughton and Bulkley left October 31,²¹³ and reached England December

²⁰⁸ *Vide Andros Traills*, Prince Society, Vol. III. (1874), p. 214. Letters by Randolph to Gov. Leverett, dated June 23 and July 6, 1676, are printed in the same volume, pp. 218-221. Randolph wrote a letter from Boston June 17, 1676, to Sir Henry Coventry, his Majesty's principal Secretary of State. An abstract of this letter is printed in *New Hampshire Documents*, by J. S. Jennefs (1876), pp. 60, 61.

²⁰⁹ *History of Massachusetts*, by T. Hutchinson, Vol. I. (1764), p. 311.

²¹⁰ A petition of Robert Mason, of

which an undated copy was found by Belknap among the papers of the Masonian Proprietors and printed by him in the Appendix to his *History of New Hampshire*, pp. 17-22, is probably the petition of Mason here referred to.

²¹¹ The several documents here named are entered on the colony records, September 2, 1676. *Vide Massachusetts Colony Records*, Vol. V. (1854), pp. 106-117.

²¹² *Andros Traills*, Prince Society, Vol. III. (1874), p. 214.

²¹³ *Diary of John Hull*, in the *Transf-*

ber 20.²¹⁴ After his return, Randolph prepared for the king a narrative, dated September 20, 1676, of his reception by the Massachusetts authorities, and what he had done in this country; and for the Council an account, dated October 12, 1676, of the state of the country and the government.²¹⁵

The king referred the matter in controversy between the Massachusetts Colony and Messrs. Mason and Gorges to the Lords of the Committee for Trade and Plantations, who were directed to take the advice of the Lords Chief Justices of the King's Bench and Common Pleas. The parties were granted a hearing April 5, 1677, when, after counsel had been heard on both sides, the committee requested the Justices to receive written statements of the claims made by each party, and return their opinions upon them. The Justices appointed a day for a hearing, and received from the parties such papers as they saw fit to submit.²¹⁶ They gave their opinion, which the Lords embodied in their report to the Privy Council. Both the report of the board and the opinion of the Justices were confirmed by the king in council.²¹⁷ Mason, at the hearing, waived his right to the government of the lands claimed by him, being convinced by his

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actions of the American Antiquarian Society, Vol. III. (1857), p. 242.

²¹⁴ *Andros Tracts*, Prince Society, Vol. III. p. 214.

²¹⁵ These documents are printed in the *Collection of Papers* by T. Hutchinson (1769), pp. 477-511; Prince Society's ed. Vol. II. (1865), pp. 210-248.

²¹⁶ A new and enlarged statement of the *Title of Robert Mason*, evidently prepared about this time, and probably for this occasion, is preserved in the British State Paper Office. It is printed

in *New Hampshire Documents*, by J. S. Jenness (1876), pp. 75-82.

²¹⁷ The record of the Privy Council, July 20, 1677, printed in the *History of New Hampshire*, by J. Belknap, Vol. I. (1784), Appendix, pp. xxviii-xxxii, contains the report of the board embodying the decision of the Justices. Abstracts of the decision are printed in the *History of Massachusetts*, by T. Hutchinson, Vol. I. (1764), p. 317, and in the *History of New Hampshire*, by J. Belknap, Vol. I. (1784), p. 163.

own counsel that "no such power or jurisdiction could be transferred or assigned by any color of law." The Justices gave it as their opinion that the claim of Massachusetts to the power of government within the limits of their patent was valid, as was also that of Gorges within his limits if they did not extend into the territory of Massachusetts. As to the title to the lands claimed by Mason and Gorges, the agents of Massachusetts disclaimed all right to it. But the Justices add:—

The said lands are in the possession of several other persons not before us, whereupon we thought it not fit to examine any claims to the said lands, it being, in our opinion, improper to judge of any title of land without hearing of the ter-tenants or some other persons on their behalf; and if there be any course of justice upon the place having jurisdiction, we esteem it most proper to direct the parties to have recourse thither for the decision of any question of property, until it shall appear that there is just cause of complaint against the courts of justice there for injustice or grievance.

On the 9th of January, 1678–9, Mason and Gorges presented a petition to the king, offering to surrender to him their right and title to the government of New Hampshire and Maine, and requesting him to appoint a governor over these two provinces. They pray that the jurisdiction of the said governor shall extend over all the petitioners' lands according to their grants.²¹⁸ This petition, or one from Mason individually, was laid before the Lords of the Committee for Trade and Plantations, and on the 15th of January the agents of Massachusetts were directed to reply.

Stoughton

²¹⁸ The petition is printed in *New Hampshire Documents*, by J. S. Jenness (1876), pp. 71, 73.

Stoughton and Bulkley prepared, February 4, 1678-9, a representation of the case between Massachusetts and Mason, which was read before that board on the 13th of February. They say that Mr. Mason can produce no title to the lands he claims "upon any other accompt than of a bare grant of late produced from the Council of Plymouth, which is altogether uncertaine as to its boundaries, was never pursued or executed by Livery of Seizen made." They think that this title "cannot be of force to eject the present Inhabitants, and is a very poor foundation to build the Title of Sole Proprietor of the Province of New Hampshire upon, a name not pretended to be in being till six yeares after the obteyning of the Charter of the Massachusetts."²¹⁹

The Popish Plot having engrossed the attention of the government of England, so that it could not attend to these matters, and the agents of Massachusetts, who had been required to answer other complaints, having expressed a desire to return home, the king gave them his permission to leave, and sent by them a letter, dated July 24, 1679, to the governor of the colony. The king complains that the agents were not granted larger powers, and requires that new agents, with full powers, be sent within six months after the receipt of this letter. He also complains that Massachusetts had purchased, without the royal permission, the rights of Gorges in the province of Maine.²²⁰ He commands them to

²¹⁹ This document is printed in *New Hampshire Documents*, by J. S. Jennels (1876), pp. 73, 74.

²²⁰ The sale was made to John Usher, March 13, 1677-8, and Usher conveyed it to the Governor and Company of Massachusetts Bay, on the 15th of

March, two days later. The deeds are printed in the *Collections of the Maine Historical Society*, Vol. II. (1847), pp. 257-264. The consideration named in both deeds is £1,250 "of lawful English money." A letter of Robert Mason concerning this sale, which was read at

to recall all commissions granted by the colony for governing that part of the province of New Hampshire lying more than three miles northward of the Merrimac river, the government of which, he informs them, remains vested in the crown. He also notifies them that a form of government for that province is under consideration.²²¹

The agents brought home an opinion on Mason's case by Sir William Jones, the attorney-general, dated September 18, 1679. In regard to Mason's grants, he did not see how any of them could be good, as they were only under the seal of the Council of Plymouth, unwitnessed and without any entry of record of them anywhere, without seisin endorsed, and no possession having ever gone along with them. The law of limitations passed by the Massachusetts Colony he considered "a reasonable law, and agreeing in reason with the law of England." His opinion was that Mason's claim could not properly be tried by any of the four courts, but according to the law of the place, if it lie within any jurisdiction, and if within none, the king might erect courts to proceed according to the law of England. As ten of the towns claimed by Mason remained, according to the opinion of the chief justices within Massachusetts, his right in them should be tried under the laws of that colony, "liable to such appeal as the charter allows, if it allows any."²²²

Messrs. Stoughton and Bulkley left England in September, 1679,

a meeting of the Lords of Trade and Plantations March 25, 1679, is printed in *New Hampshire Documents*, by J. S. Jenness, p. 83.

²²¹ The letter is printed in the *Collection of Original Papers*, by T. Hutch-

inson, pp. 519-522; Prince Society's ed., Vol. II. pp. 257-261.

²²² The statement of this case and the opinion of Sir William Jones are printed in the *History of Massachusetts*, by T. Hutchinson, Vol. I. (1764), pp. 315-318.

1679,²²² and arrived at Boston on the 25th of December.²²⁴ Randolph followed them on the 23d of October, carrying a commission for a new government in New Hampshire; and though he went by the way of New York, he arrived at Portsmouth the same month that the Massachusetts agents reached New England. Randolph says that for two years he attended in England to the matter in controversy, and made good at the council chamber his charge against the Governor and Company of Massachusetts. "The Agents," he adds, "confess the fact, pray his Majesties pardon, and acknowledge his Majesties Right to the Government of the Province of New Hampshire."²²⁵

A commission for the government of the four towns of Portsmouth, Hampton, Dover, and Exeter, under the designation of the Province of New Hampshire, passed the great seal, September 18, 1679.²²⁶ The authority was vested in a president and council, who were named in the commission and who were all inhabitants of the province, and in an assembly chosen by the people. The commission was brought to Portsmouth by Randolph on the 27th of December, and on the 30th was delivered to John Cutt, who was named in it as president.²²⁷ Mason's rights, which had been confirmed by high

²²² *Andros Tracts*, Prince Society, Vol. III. (1874), p. 215.

²²⁴ *Diary of John Hull*, in the *Transactions of the American Antiquarian Society*, Vol. III. (1857), p. 246.

²²⁵ *Andros Tracts*, Prince Society, Vol. III. (1874), pp. 214, 215.

²²⁶ The commission is printed from a copy on the Province Records, in the *Collections of the New Hampshire His-*

torical Society, Vol. VIII. (1866), pp. 1-9. An extract of the matter relating to Mason is printed in the *History of New Hampshire*, by J. Belknap (1784), Appendix, pp. xxxii, xxxiii.

²²⁷ *Vide Andros Tracts*, Prince Society, Vol. III. (1874), p. 215; *New Hampshire Documents*, by J. S. Jenness, p. 84.

high judicial authority in England, were expected to be maintained by the new government; but as many people had long been in possession of their lands, restrictions were laid upon Mason which are stated as follows in the commission:—

To prevent in this case any unreasonable demands which might be made by the said Robert Mason for the right he claimeth in the said soil, we have obliged the said Robert Mason under his hand and seal, to declare that he will demand nothing for the time past, until the 24th of June²²⁸ last past, nor molest any in their possessions for the time to come, but will make out titles to them and their heirs forever, provided they will pay to him upon a fair agreement, in lieu of all other rents, six pence on the pound according to the just and true yearly value of all houses built by them, and of all lands, whether gardens, orchards, arable or pasture, which have been improved by them, which he will agree shall be bounded out unto every of the parties concerned, and that the residue may remain unto himself to be disposed of for his best advantage.

The new plan of government was not popular with the inhabitants. The officers named in the commission "would gladly," says Belknap, "have declined acting in their new capacity; but considering the temper of the government in England, the unavoidable necessity of submitting to the change, and the danger, upon their refusal, of others being appointed who would be inimical to the country, they agreed to qualify themselves, determining to do what good and keep off what harm they were able." They therefore published the commission and took the oaths on the 21st of January. "This change of government gratified the discontented few,

²²⁸ The copy on the Province Records reads "12th of June."

few, but was greatly disrelifhed by the people in general, as they faw themselves deprived of the privilege of choofing their own rulers, which was ftill enjoyed by the other colonies of New England, and they expected an invafion of their property foon to follow.”²²⁹ Writs for the election of an affembly were iffued, and deputies from the four towns of Portsmouth, Dover, Exeter, and Hampton met at Portsmouth, March 16, 1679–80, and proceeded to make laws and tranfact the ufual legiflative bufinefs.

On the 6th of Auguft, 1680, Maſon petitioned the Lords of Trade and Plantations, ftating that the fix months allowed the Maſſachuſetts Colony to fend over their agents had long expired, and as he was preparing to return to New England to settle his affairs, he requested that the report of the Lords, the reading of which he had, at the follicitations of the former agents, refrained from preſſing, might now be offered to his Majeſty for the royal determination.²³⁰

In December, 1680, Maſon arrived at Portsmouth, New Hampshire, with a mandamus²³¹ requiring the Council to admit him to a feat at the board. It bore date October 1, 1680, and Maſon was admitted on the 30th of December. At the ſame time Richard Chamberlain brought over a comiſſion from the king appointing him ſecretary of the province and clerk of the Council, to which offices he was admitted

²²⁹ *History of New Hampshire*, by J. Belknap, Vol. I. pp. 175–177. The doings of the new government are given in two letters of Prefident Cutt to the king, dated March 29 and June 11, 1680, which are printed in the ſame volume, Appendix, pp. 33–35. It may be noted that the name New Hampshire was firſt

accepted by the inhabitants of the province under this government.

²³⁰ The petition is printed in *New Hampshire Documents*, by J. S. Jennefs, pp. 85–87.

²³¹ The mandamus is printed in the *History of New Hampshire*, by J. Belknap, Vol. I. Appendix, pp. 36, 37.

admitted the same day that Mason was to his. Belknap gives this account of Mason's doings:—

He soon entered on the business he came about; endeavoring to persuade some of the people to take leases of him, threatening others if they did not, forbidding them to cut firewood and timber, asserting his right to the province, and assuming the title of Lord Proprietor. His agents, or stewards, as they were called, had rendered themselves obnoxious by demanding rents of several persons and threatening to sell their houses for payment. These proceedings raised a general uneasiness; and petitions were sent from each town as well as from divers individuals to the Council for protection; who taking up the matter judicially published an order prohibiting Mason or his agents at their peril to repeat such irregular proceedings, and declaring their intention to transmit the grievances and complaints of the people to the king. Upon this Mason would no longer sit in council, though desired, nor appear when sent for. When they threatened to deal with him as an offender, he threatened to appeal to the king, and published a summons to the president and several members of the Council, and others to appear before his Majesty in three months. This was deemed "an usurpation over his Majesty's authority here established," and a warrant was issued for apprehending him; but he got out of their reach and went to England.²⁸²

Mr. Chamberlain, the secretary of the province, who was a friend and supporter of Mason, gives a more favorable account of his reception by the people of New Hampshire. After stating that the publication of the mandamus was delayed, on account of the illness of President Cutt, till February, Chamberlain proceeds:—

But so soon as it was published, wherein His Majesty had declared the Agreement made on their behalf with Mr. Mason as to their improved

²⁸² *History of New Hampshire*, by J. Belknap, Vol. I. pp. 182, 183.

improved lands, and about the same time Mr. Mason fixing up his Declaration for satisfaction of the People on his part; the people came in from all parts and welcomed him into the Country, desiring a confirmation of their estates in their lands, and to take grants for the same with the addition of more lands, some of them having lived in these parts above twenty years, and yet could never obtain the least parcel of land for their convenience of trade and living, as many in my hearing have complained. So that in a short time near half of the province had bin with him and entered their names with me as secretary of the Province, most of them complaining of the heavy burthens and oppressions they lay under. But there hath not been that good understanding between Mr. Mason and the Council, as I suppose His Majesty might reasonable expect, he having it seems refused some proposals made by them, at his first coming, about their undertaking to raise a yearly rent, payable to him, upon each town of the Province, and to be managed by them; he declaring that he would treat with every one apart, and let them lands as he should see cause, and if any of his tenants had afterwards just occasion of complaint, he could and would ease them at his pleasure, and would not trust that power to others; the people generally desiring also to hold their estates immediately of him. Whereupon they have endeavored to give him what trouble they can, by dissuading the people from agreeing, altho I must confess some of the Council likewise have, to my knowledge, several times affirmed that they did not desire to hinder any persons from complying and taking conveyances from Mr. Mason. Yet they will not endure he should be owned as Proprietor, tho I take it to be clear his Majesty doth.²³⁸

A few months after Mason's arrival, March 27, 1681, President Cutt died. Chamberlain calls him "an honest loyal gentleman" who "stood for the Proprietor's right, owned him and purposed to take his Grants from him."

On

²³⁸ *New Hampshire Documents*, by J. S. Jenness, pp. 96, 97.

On the 5th of April Major Richard Waldern,²⁸⁴ who became one of the most formidable opponents of Mason's claim, was chosen president in his place. Chamberlain considers the opposition to Mason to have been encouraged and fostered by the principal members of the government; but it is evident that a large portion of the people themselves were opposed to his claims. The warrant for his arrest, mentioned in the quotation from Belknap, was dated May 18, 1681.²⁸⁵ He is mentioned, May 16, as "now going for England," and probably left within a few days.²⁸⁶

Charles II., in a letter to the Massachusetts Colony, dated September 30, 1680, summoned the inhabitants of the territory lying between the Merrimac and Naumkeag to appear before the Privy Council and defend their rights to the lands in their possession. This the people living in that territory justly considered a great grievance. The inhabitants of
Beverly

²⁸⁴ Major Richard Waldern was a son of William and Catharine (Raven) Waldern, of Alcester, in Warwickshire, England, and was baptized in that parish January 6, 1615-6. He and his brother William settled early at Dover, New Hampshire. A pedigree giving his English ancestry is printed in the *New England Historical and Genealogical Register*, Vol. VIII. (1854), p. 78. His son Richard changed the spelling of his surname to Waldron. Major Waldern was killed by the Indians, June 27, 1689. Memoirs of him are printed in the *Collections of the New Hampshire Historical Society*, Vol. II. (1827), pp. 40-47; and Vol. VIII. (1866), pp. 332-341.

²⁸⁵ The warrant is printed in *New Hampshire Documents*, by J. S. Jenness, p. 112.

²⁸⁶ Letters from Chamberlain to Wil-

liam Blathwayt, dated Portsmouth, May 14, 1681, and to the Lords of Trade and Plantations May 16, 1681, containing unfavorable reports of what had been done in New Hampshire since his arrival, are printed in *New Hampshire Documents*, by J. S. Jenness, pp. 90-99. A Narrative of the Proceedings of the Council of New Hampshire upon the receipt of his Majesty's Commission, on the same side, read in the Privy Council September 6, 1681, is printed in that volume, pp. 104-108. On the other side are a letter from the Council of New Hampshire to the Lords of Trade and Plantations, dated May 7, and a report to the king, also from the Council, dated May 31, 1681, printed in the same volume, pp. 87-89, 99-104. The letters of Chamberlain were probably taken to England by Mason.

Beverly presented a petition in relation to this matter to the General Court of Massachusetts, at an adjourned session February 22, 1680-1. They state that they had held "above fifty years' possession, and entered upon the place with the good liking of the Indians, the ancient inhabitants of the country," and had "adventured their lives and estates, and worn out much time and strength in subduing a wilderness," and defending their property in the late Indian war; during which fifty years "neither Mr. Mason nor any for him did either take possession, or disburse estate, or make demand of our lands, or expend one penny to defend them." They call attention to the injustice of being "put to the charges of sending our deeds and evidences three thousand miles before any demand of Mr. Mason on the place to try" the cases. They ask that their case and their prayer to be tried on the place may be laid before the king in council.²⁸⁷

The king in his letter commanded the colony to send agents within three months to make answer to certain complaints against it, and also to the claim of Robert Mason to lands within its jurisdiction. Major-General Daniel Gookin addressed a letter to Gov. Bradstreet and the other members of the committee for drawing up instructions for agents to be sent to England, producing strong arguments against the colony's sending agents.²⁸⁸ None were sent that year, but

²⁸⁷ Petition of the Inhabitants of Beverly, in *Massachusetts Archives*, Vol. III. pp. 29, 30. The king's letter of September 30, 1680, was ordered by the General Court, January 12, 1680-1, to be transcribed and delivered to "the Major Generall and magistrates of the county of Essex, to make signification, vnto the

tertennants within the precincts of Mr. Mason's now clajme, of his majesties pleasure conteyned in said letter."—*Massachusetts Colony Records*, Vol. V. p. 303.

²⁸⁸ The letter of Major-General Gookin to Gov. Simon Bradstreet is printed in full in the *New England Historical*

but the matter of the ter-tenants on Mafon's claim was considered at the annual Court of Elections, May, 1681.²³⁹

A letter was addressed to Sir Lionel Jenkins, one of the principal secretaries of state of Great Britain, which letter is entered on the record of that court, informing the home government that the king's commands in regard to those who held lands south of the Merrimac had been published in all the villages on that side of the river, but that there was a difficulty in ascertaining the limits of Mr. Mafon's claim, and that statements in the behalf of the ter-tenants would be presented, which it was hoped would prove that claim to be groundless.²⁴⁰

The following year Joseph Dudley and John Richards were sent to London as agents of the colony. They were chosen at the session which began in February, 1681-2, sailed for England May 31, 1682,²⁴¹ and arrived there on the 20th of August following.²⁴² They took a letter to the king from Gov. Simon Bradstreet in behalf of the colony, and a petition from the inhabitants of "Gloucester *alias* Cape Anne," and other places adjacent. In the letter the petition of the ter-tenants is commended to the attention of his Majesty, and his favor is asked in behalf of the people who had held uninterrupted possession of their lands "for more than fifty yeares." The petitioners themselves in their address ask the king to interpose his royal authority that Mr. Mafon may cease to molest them in their lawful rights, or that Mafon be directed

and *Genealogical Register*, Vol. II. (1848), pp. 168-171.

²⁴¹ *History of Massachusetts*, by T. Hutchinson, Vol. I. p. 335.

²³⁹ *Mafs. Archives*, Vol. III. p. 31.

²⁴² *Andros Traits*, Prince Society,

²⁴⁰ *Mafs. Colony Records*, Vol. V. p. 312. Vol. III. p. 216.

directed to make his claim in "your Majesty's Courts of Justice here established," according to the decision of the Lords Chief Justices, approved by the Lords of Trade and Plantations, and "confirmed by your sacred majesty in council on the 20th day of July, 1677."²⁴³

It is probable that the inhabitants of that part of Essex County which is within the limits of the territory of the Mariana patent were not actually disturbed in the possession of their lands. Charles II., indeed, on the 23d of June, 1682, issued a mandatory letter to the Governor and Company of Massachusetts Bay requiring that Robert Mason be admitted to prosecute his right before the courts of judicature of that "corporation;"²⁴⁴ and that if Mason should lay claim to any lands that were not improved by any individual,

²⁴³ The letter and the petition with all the signatures are entered on the records of the session of the General Court which began February 15, 1681-2, and are printed in the *Massachusetts Colony Records*, Vol. V. pp. 333-336. The inhabitants within Mason's claim were ordered, June 2, 1681, to manage their own defence. In March, 1681-2, the General Court ordered that the secretary "advise Major Generall Dennison that they are not willing that the original evidences or deeds referring to any towne supposed within Mr. Mason's new claim be transmitted for England, and therefore that the address be new framed and signed by the inhabitants of Cape Ann only, wherein may be urged the purchase of the natives, peaceable possession fifty years, the determination of the Lords Chief Justices, confirmed in his Majesties Council, that the trial be in his Majesties Court upon the place; the uncertainty of Mr. Mason's claim;

avoiding that clause wherein you say that thousands will be brought to distress unless we confess judgment against ourselves; and that the said Major be entreated to draw the said address, and to transmit it to this court if sitting or [to any Court which] shall sit before our Agents shall goe for England, or to the Governor and Council in their absence, to be allowed of." Afterwards it was learned that Peter Bulkley desired to prepare the address, and the order was amended so that he was requested to draw up the address subject to the same approval. *Vide Massachusetts Archives*, Vol. III. p. 32. It seems that the colony paid £10 to John Hall to "encourage him to present the address of the tertenants" to the Privy Council. *Ibid.*

²⁴⁴ *Vide* the king's letter to the Governor and Company of Massachusetts Bay, in *New Hampshire Provincial Papers*, Vol. I. pp. 451-453.

vidual, the Governor and Company were directed to "proceed to put the said Robert Mason into possession of those lands, and cause his title to be recorded." In compliance with the king's order, the General Court of Massachusetts, on the 30th of March, 1683, authorized William Stoughton, Peter Bulkley, and John Hall, and "such other magistrates in Essex as are unconcerned in Mr. Mason's case," to keep a county court there for the trial of those cases that "refer to the claim of Mr. Mason" in that county.²⁴⁵ Mr. Tuttle had searches made among the records and files of the courts of Essex County; but, as he informed the Hon. Charles L. Woodbury, he could not learn that any suits to recover lands in that county had ever been brought either by the Masons or by Allen.²⁴⁶

I have not found the date of Mason's arrival in England; but it was probably in the summer of 1681. A petition from him to the Lords of Trade and Plantations was read to that board November 10, 1681.²⁴⁷ Belknap gives this account of his proceedings:—

Experience having now convinced Mason that the government which he had procured to be erected was not likely to be administered in a manner favorable to his views, he made it his business, on his return to England, to solicit a change; in consequence of which it was determined to commission Edward Cranfield, Esq., lieutenant-governor and commander-in-chief of New Hampshire. By a deed [January 25, 1681-2]

²⁴⁵ *Massachusetts Colony Records*, Vol. V. p. 398.

²⁴⁶ *Vide ante*, pp. 50, 51.

²⁴⁷ The petition is printed in *New Hampshire Documents*, by J. S. Jenness, pp. 109-113. It states the manner in

which Waldern and other members of the government have opposed Mason's claims, and requests that this statement be laid before the king. Mason also makes certain requests to aid him in establishing his claims.

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[January 25, 1681-2] enrolled in the Court of Chancery, Mason surrendered to the king one-fifth part of the quit-rents which had or should become due. These, with the fines and forfeitures which had accrued to the crown since the establishment of the province, and which should afterwards arise, were appropriated to the support of the governor. But this being deemed too precarious a foundation, Mason, by another deed, mortgaged the whole province to Cranfield for twenty-one years, as security for the payment of one hundred and fifty pounds per annum, for the space of seven years. On this encouragement Cranfield relinquished a profitable office at home, with the view of bettering his fortune here.²⁴⁸

Near the middle of August, 1682, Cranfield, who was probably accompanied by Mason, left Plymouth, England, in his Majesty's ship *Lark*, and on Sunday, October 1, arrived at Salem, Massachusetts. He proceeded overland to Portsmouth, New Hampshire, where he arrived at night on the 3d of that month. He brought with him a commission²⁴⁹ from the king, dated May 9, 1682, appointing him lieutenant-governor and commander-in-chief, with ten persons, at the head of whom was "Robert Mason, proprietor," for the Council. The members of the old Council were reappointed, with the exception of Christopher Hufsey and Samuel Dalton, in whose stead Richard Chamberlain and Walter Barefoot were named.

Cranfield called a meeting of the Council the next day at the house of George Snell, at which he took the oath of office, as did also Mason and the rest of the Council named
in

²⁴⁸ *History of New Hampshire*, by J. Belknap, Vol. I. pp. 188, 189. lieutenant-governor, etc., is printed in *New Hampshire Provincial Papers*,

²⁴⁹ Edward Cranfield's commission as Vol. I. pp. 433-443.

in the commission, except Job Clement, who, if not then dead, died before the close of the month. Belknap gives this account of Cranfield's proceedings:—

Within six days Waldron²⁵⁰ and Martyn were suspended from the Council on certain articles exhibited against them by Mason. This early specimen of the exercise of power must have been intended as a public affront to them, in revenge for their former spirited conduct; otherwise their names might have been left out of the commission when it was drawn.²⁵¹

The people now plainly saw the dangerous designs formed against them. The negative voice of a governor, his right of suspending counsellors and appointing officers by his own authority, were wholly unprecedented in New England; and they had the singular mortification to see the crown not only appointing two branches of their legislature, but claiming a negative on the election of their representative in a particular case, which might sometimes be essentially necessary to their own security. They well knew that the sole design of these novel and extraordinary powers was to facilitate the entry of the claimant on the lands which some of them held by virtue of grants from the same authority, and which had all been fairly purchased of the Indians.

An Assembly, being summoned, met on the 14th of November. Belknap proceeds:—

Cranfield, who made no secret of his intention to enrich himself by accepting the government, on the first day of the Assembly
restored

²⁵⁰ Dr. Belknap, from whom we are quoting, and most modern writers, spell Major *Waldern's* surname *Waldron*, as his son Richard and his descendants spell the name.

²⁵¹ It appears from Lieut.-Gov. Cranfield's report to the Lords of Trade and

Plantations, October 23, 1682, that he was required by his Majesty's instructions to suspend Messrs. Waldern and Martyn. Perhaps they were named in the commission to prevent them from obstructing the organization of the new government.

restored Waldron and Martyn to their places in the Council ; having, as he said, examined the allegations against them and found them insufficient. In return for this show of complaisance, and taking advantage of his needy situation, the Assembly having ordered an assessment of five hundred pounds, appropriated one half of it as a present to the governor, hoping thereby to detach him from Mason, who, they knew, could never comply with his engagements to him. Preferring a certainty to an uncertainty, he passed the bill (December 1), though it was not presented to him till after he had given order for adjourning the court, and after Mason, Barefoot, and Chamberlain had withdrawn from the Council.²⁶²

Whether the action of the Assembly had the desired effect on Cranfield or not, it is certain that his reports to the Lords of Trade and Plantations, October 23 and December 1, 1682, are more favorable to Waldern and his associates than to Mason.²⁶³ His agreement with the Assembly was, however, of short duration. On February 14, 1682-3, he called, by advertisement, upon the inhabitants "to take out leases from Mason within one month ; otherwise he must, pursuant to his instructions, certify the refusal to the king, that Mason might be discharged of his obligation to grant them. Upon this summons, and within the time set, Major Waldron, John Winget, and Thomas Roberts, three of the principal landholders in Dover, waited on the governor to know his pleasure, who directed them to agree with Mason. They then retired into another room where Mason was, and proposed to refer the matter to the governor, that he might, according to his commission,

²⁶² *History of New Hampshire*, by J. Belknap, Vol. I. pp. 190-193. field, the lieutenant-governor, are printed in *New Hampshire Documents*, by J. S.

²⁶³ These reports of Edward Cran- Jennefs, pp. 119-127.

mission, state the matter to the king for his decision. This proposal Mason rejected, saying that unless they would own his title he would have nothing to do with them. . . . His refusal to accede to it was a capital mistake, as it left both him and Cranfield exposed to the charge of disobedience."²⁵⁴ Through the exercise of his prerogatives, the lieutenant-governor soon after remodelled the Council and the courts. A writ against Waldern was issued October 8, 1683, the trial to be held at Great Island on the first Tuesday in November.²⁵⁵ Belknap gives this account of the trial:—

Things being thus prepared, Mason began his lawsuits by a writ against Major Waldron, who had always distinguished himself in opposition to his claim, for holding lands and selling timber to the amount of four thousand pounds.²⁵⁶ The major appeared in court and challenged every one of the jury as interested persons, some of them having taken leases of Mason, and all of them living upon the lands he claimed. The judge then caused the oath of *voire dire* to be administered to each juror, purporting "that he was not concerned in the lands in question, and that he should neither gain nor lose by the cause." Upon which the major said aloud to the people present, "that his was a leading case, and that if he were cast they must all become tenants to Mason; and that all persons in the province being interested, none of them could legally be of the jury."²⁵⁷ The cause, however, went on; but he made no defence, asserted no title, and gave no evidence on his part. Judgment was given against him, and at the next Court of Session he was fined five pounds for "mutinous and seditious words." Suits were instituted against all the

²⁵⁴ *History of New Hampshire*, by J. Belknap, Vol. I. pp. 196, 197.

²⁵⁵ The writ is printed in *New Hampshire Provincial Papers*, Vol. I. pp. 467, 468.

²⁵⁶ The sum named in the writ is £3,000.

²⁵⁷ *MS. in the files*, is the authority of the Rev. Dr. Belknap, as given in the margin.

the principal landholders of the province, who, following Waldron's example, never made any defence. . . . Executions were issued, of which two or three only were levied ; but Mason could neither keep possession of the premises nor dispose of them by sale, so that the owners still enjoyed them.²⁵⁸

Only one of the cases, that of William Vaughan, was appealed to the king, and this was decided in Mason's favor, the appeal being dismissed and the former judgment confirmed. Finding so much difficulty in asserting his claims to the settled portions of the province, Mason endeavored to lay a foundation for realizing his claim to the waste lands. His confirmation, April 15, 1686, of the " Million Acre Purchase " of Jonathan Tyng and others, and his lease, May 15 of that year, to Hezekiah Usher, for one thousand years, of the mines, minerals, and ores in New Hampshire, are instances.

The inauguration of a new government for New England, May 25, 1686, with Joseph Dudley at the head, as President of the Council, terminated the provincial government of New Hampshire. Mason and his kinsman Randolph were both members of Dudley's Council, and were active partisans. In a few weeks, however, Mason, who had been summoned to England to attend the hearing of Vaughan's appeal to the king, failed from Boston as the bearer of addresses from the Council of New England to his Majesty James II. and to the Lords of Trade and Plantations. He left on the 12th of June, 1686, in Capt Jenner's ship, which had been ordered to stay for him.²⁵⁹ Vaughan's appeal was dismissed,

²⁵⁸ *History of New Hampshire*, by J. Belknap, Vol. I. pp. 198-200.

²⁵⁹ *Council Records*, in manuscript, June 1 and 2, 1686.

dismissed, and the former judgment confirmed with costs in favor of Mason, November 6, 1686.

Robert Mason remained abroad till the next spring, when he returned to Boston in season to take his seat at the Council board May 21, 1687.²⁶⁰ Sir Edmund Andros was then governor of New England, and had been since the previous December. Mason found, however, "his views obstructed in a manner little expected. The government was in the hands of a set of harpies who looked with envy upon the large share of territory that he claimed, and were for parceling it out among themselves. The new judges delayed issuing executions on the judgments which he had formerly recovered, and the attorney-general Graham would not allow that he had power to grant land by leases. This confirmed the people in their opinion of the invalidity of his claim, and rendered them, if possible, more averse from him than they ever had been. At length, however," July 13, 1688, "he obtained from Dudley, the chief justice, a writ of *certiorari*,²⁶¹ directed to the late judges of New Hampshire, by which his causes were to be removed to the supreme court of the whole territory, then held at Boston. But before this could be done, death put an end to his hopes, and relieved the people for a time of their fears."²⁶² He died at the age of fifty-three, at Kingston, New York, September 6, 1688, while attending

Sir Edmund Andros,

²⁶⁰ *Council Records*, in manuscript, May 21, 1687. The record says that Robert Mason had "lately arrived from England."

²⁶¹ The writ, which is addressed to Walter Barefoot, Nathaniel Fryer, and Henry Green, Esqrs., lately Justices of

the Court of Pleas in the Province of New Hampshire now in the Territory and Dominion of New England, is printed in *New Hampshire Provincial Papers*, Vol. II. pp. 533, 534.

²⁶² *History of New Hampshire*, by J. Belknap, pp. 236, 237.

Sir Edmund Andros, as a member of his Council, on a journey from New York to Albany.²⁶³

The Revolution in England occurred a few months after Mason's death. It was not to be expected that his sons, who inherited his claims, would find the hearty support from the new sovereigns which his father had received, though it benefited him little, from the last two kings. Accordingly, on the 27th of April, 1691, John Tufton Mason and Robert Tufton Mason²⁶⁴ sold the title which they inherited from their great-grandfather, Capt. John Mason, for £2,750, "lawful money of England," to Samuel Allen,²⁶⁵ a merchant of London, the entail being previously docked by a fine and recovery in the Court of King's Bench. Allen was in favor with the new government of England, and the next year, March 7, 1692,²⁶⁶ was appointed governor of New Hampshire,

²⁶³ The letter from which the following is an extract is found in the *Massachusetts Archives*, Vol. CXXIX. p. 182:—

FORT ALBANY, ON HUDSON RIVER,
Sept. 12, 1688.

SIR,—I wrote you from New York and from Philadelphia, and send this by a vessel from New York to Boston, which serves only to acquaint you of the death of my cousin Mason, who dyed the 6 instant, and was buried at Kingstone upon this river. He was much troubled at the Great delays in his business, occasioned by his pretended friend, Mr. Dudley. His Excellence is much concerned for his loss. We will do the best we can for his poor children. . . .

[Signed] EDWARD RANDOLPH.

²⁶⁴ These two sons of Robert Mason probably did not add the surname Mason to their names till after the death of their father. At least as late as July, 1686, while Robert Mason was absent

on his passage from Boston to London, his eldest son, John, petitioned President Dudley and his Council on his father's business, and signed himself simply "John Tufton." The petition was acted upon July 20, 1686. It seems that they were more proud of their Tufton than of their Mason blood.

²⁶⁵ The deed to Allen, April 27, 1691, is printed in *New Hampshire Provincial Papers*, Vol. II. (1868), pp. 535-540. A previous deed was taken by Allen, October 14, 1690, of which a manuscript copy is in the possession of the Hon. Charles L. Woodbury. *Vide* foot-note 46, *ante*, p. 51.

²⁶⁶ The commission, which names Allen as governor, Usher as lieutenant-governor, and the several members of the Council, is printed, with the Instructions to Governor Allen, in *New Hampshire Provincial Papers*, Vol. II. pp. 57-69.

Hampshire. John Usher, who was then or became afterwards his son-in-law, was at the same time appointed lieutenant-governor, and, August 13, 1692, assumed the government of the province.²⁶⁷ Allen did not come to New England till 1698, and he held the office of governor less than a year after his arrival.

The new owner of the claim pursued the same course as Mason, and, though like him generally supported by the home government, met with no better success. A test case, *Allen vs. Waldron*,²⁶⁸ was not decided till after the death of Governor Allen, who died at Newcastle, New Hampshire, May 5, 1705, in his seventieth year. The case was continued by Thomas Allen, son of Governor Allen, and was decided in favor of the defendant August 12, 1707. "The counsel for Allen moved for an appeal to her Majesty," Queen Anne, "in council, which was allowed on their giving bond in two hundred pounds to prosecute it. But the loyalty of the people, and the distresses under which they labored by reason of the war, prevailed on the queen's ministry to suspend a final decision; and before the appeal could be heard, Allen's death, which happened in 1715, put an end to the suit, which his heirs, being minors, did not renew."²⁶⁹ A statement in favor of the Allen claim was printed in Boston in

²⁶⁷ *New Hampshire Provincial Papers*, Vol. II. pp. 70, 71.

²⁶⁸ The papers with the course of proceedings in the courts in this case are on file in the office of the Clerk of the Courts in Exeter, New Hampshire. A selection from these papers is printed in *New Hampshire Provincial Papers*, Vol. II. pp. 514-562. It was in this

case that the famous Wheelwright deed, May 17, 1629, was first produced. There has been much controversy as to the genuineness of this deed. *Vide John Wheelwright*, by the Hon. Charles H. Bell, LL.D., Prince Society (1876), pp. 79-148.

²⁶⁹ *History of New Hampshire*, by J. Belknap, Vol. I. (1784), p. 328.

in 1728,²⁷⁰ but nothing seems to have been done at this time by the heirs.²⁷¹

The sale to Allen in 1691 was "made in England, and the lands were by a fiction of law supposed to be there, by which means the process of fine and recovery was carried on in the Court of King's Bench."²⁷² The brothers returned to America, and during their lives "no notice was taken of the supposed flaw, and the sale to Allen was not disputed." The eldest son, John Tufton Mason, died in Virginia without issue. His younger brother, Robert Tufton Mason, left a son, John Tufton, who married at Boston and resided there. He "conceived the hope of invalidating Allen's purchase and regaining his paternal inheritance; which it was supposed could not have been transferred by his father and uncle for any longer term than their own lives. It was also said that the fiction by which the lands were described to be within the jurisdiction of the courts of Westminster Hall rendered

²⁷⁰ *A Short Narrative of the Claim, Title, and Right of the Heirs of the Hon. Samuel Allen, Esq., to the Province of New Hampshire*, 4to, pp. 13. The narrative is preceded by a "Letter from a Gentlewoman in London to her friend in New England." It is dated July 2, 1728, and signed I. A. No date of publication is given, but in the *History of Printing*, by Isaiah Thomas, 2d ed. (1874), p. 112, it is placed under 1728.

²⁷¹ Fuller details of the attempts of Mason and Allen to obtain possession of lands in New Hampshire will be found in *History of New Hampshire*, by J. Belknap, Chapters VI. to XI.; and the *Memoirs of William Vaughan* and *Nathaniel Weare*, by the Hon. Samuel

D. Bell, in the *New Hampshire Historical Society's Collections*, Vol. VIII. (1866), pp. 318-325, 380-394. Documents relating to the subject will be found in *New Hampshire Documents*, by J. S. Jenness, pp. 54-160; *New Hampshire Provincial Papers*, Vols. I. (1867) and II. (1868); and in the *New Hampshire Historical Society's Collections*, Vol. VIII.

²⁷² In the process by which the entail was then docked, the situation of the land is expressed in these words: "In New Hampshire, Main, Mafonia, Laconia, Mafon-hall, and Mariana in America, in the parish of Greenwich." Foot-note by Belknap, who quotes as his authority a manuscript in the Proprietary Office.

dered the proceedings void, and therefore that the entail was still good. Filled with these ideas he made strenuous exertions to acquire money to assist him in realizing his expectations; but died in the midst of his days" in 1718, "at the Havanna, whither he had made a voyage with this view."²⁷⁸ He left three sons.

John Tufton, the eldest of these sons, was born in Boston, Massachusetts, April 27, 1713, and was bred to a mechanical employment. He became of age in 1734, and about this time added the surname Mason, the better to enable him to inherit the Mason property. Soon after this, active measures were begun to settle the boundary line between Massachusetts and New Hampshire. Belknap gives this account of the part that Mason took in the controversy: —

He inherited the enterprising spirit of his ancestors, and the public controversy called his attention to his interest. On this young man the [Massachusetts] politicians cast their eyes; and having consulted counsel on the validity of his claim and the defect of the transfer, they encouraged him to hope that this was the most favorable time to assert his pretensions. Had they purchased his claim at once, they might doubtless have obtained it for a trifle, and have greatly embarrassed the views of their antagonists. Instead of such a stroke of liberal policy, they treated with him concerning the release of all those lands in Salisbury, Amesbury, Haverhill, Methuen, and Dracut, which the line would cut off; and for five hundred pounds currency obtained a quitclaim of twenty-three thousand six hundred and seventy-five acres. They also [July 1, 1738] admitted his memorial to the Assembly; in which he represented to them that his interest might probably be affected by the final determination of the line, and praying that the Province would be at the expense of his voyage
to

²⁷⁸ *History of New Hampshire*, by J. Belknap, Vol. II. (1791), pp. 159, 160.

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to England to take proper measures for securing it. To this they consented, on condition that he should prove his descent from Capt. John Mason, the original patentee. Depositions were accordingly taken in both provinces, to which the public seals were affixed; and they put him under the direction of their agents, ordering his expenses to be paid, as long as they should judge his presence in England would be serviceable to their views.

The agents stated his case to their counsel, the king's solicitor, and asked his opinion how they should proceed; but he advised them not to bring him to view, lest the Lords should think it an artifice intended to perplex the main cause. On this consideration they dismissed him from further attendance, and paid his expenses, amounting to above ninety pounds sterling. Such a transaction, though conducted as privately as the nature of the thing would admit, did not escape the vigilance of Thomlinson [the agent of New Hampshire], who, on finding Mason detached from the agents of Massachusetts, entered into an agreement with him for the release of his whole interest to the Assembly of New Hampshire, in consideration of the payment of one thousand pounds currency of New England. This manoeuvre served to strengthen the interest of New Hampshire, and Thomlinson was much applauded for his dexterity.²⁷⁴ . . .

After Thomlinson had engaged with Mason for the purchase of his title, nothing more was heard of it till the controversy respecting the lines was finished, and Wentworth was established in the seat of government and in the office of surveyor of the woods. The agreement which Thomlinson had made was in behalf of the representatives of New Hampshire; and the instrument was lodged in the hands of the governor, who sent it [October 30, 1744] to the House for their perusal and consideration. It lay on their table a long time without any formal notice. Quickening messages were sent time after time; but the affairs of the war, and Mason's absence at sea and in the expedition to Louisburg, where he had a company, together with

²⁷⁴ *History of New Hampshire*, by J. Belknap, Vol. II. (1791), pp. 160-162.

with a disinclination in the House, which was of a different complexion from that in 1739, prevented anything from being done.

In the meantime Mason suffered a fine and recovery, by which the entail was docked in the courts of New Hampshire, and he became entitled to the privilege of selling his interest. He also presented a memorial to the Assembly, in which he told them that he should wait no longer; and unless they would come to some resolution he should take silence as a refusal. Intimations were given that if they would not ratify the agreement, a sale would be made to other parties, who stood ready to purchase. At length the House came to a resolution, "that they would comply with the agreement and pay the price, and that the lands should be granted by the General Assembly to the inhabitants as they should think proper." A committee was appointed to treat with Mason about fulfilling his agreement, and to draw the proper instruments of conveyance; but he had on the same day, by deed of sale, for the sum of fifteen hundred pounds currency, conveyed his whole interest to twelve persons in fifteen shares.²⁷⁵

The history of the property after it passed into the hands of the Masonian Proprietors, as these persons were called, need not be given here. The purchasers were Theodore Atkinson, who held three shares; Mark Hunking Wentworth, who held two shares; and Richard Wibird, John Wentworth, George Jaffrey, Nathaniel Meserve, Thomas Packer, Thomas Wallingford, Jotham Odiorne, Joshua Peirce, Samuel Moore, and John Moffat, who held one share each. The deed was dated January 30, 1746.²⁷⁶

In

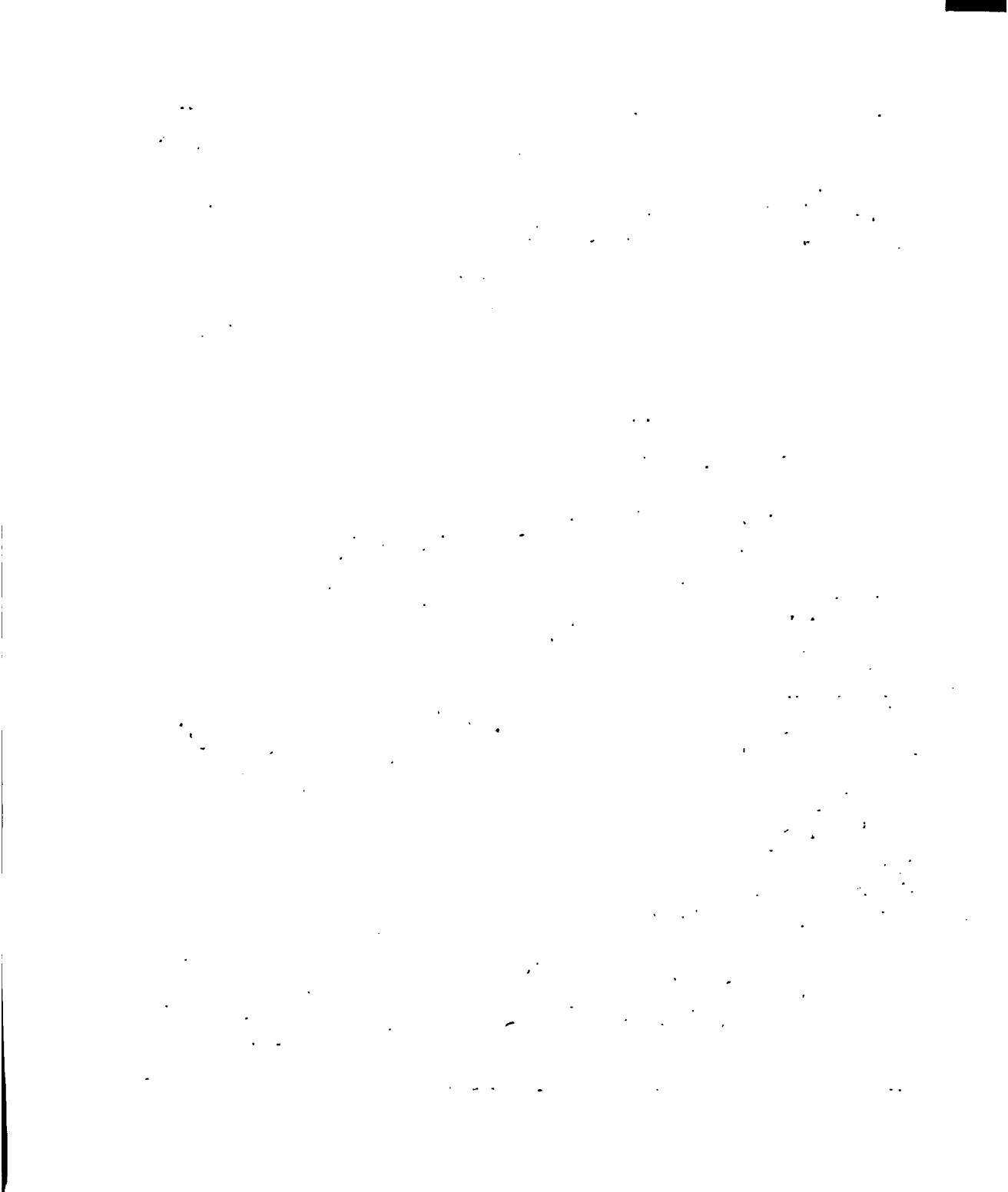
²⁷⁵ *History of New Hampshire*, by J. Belknap, Vol. II. (1791), pp. 258-260. was confined to the lately established boundaries of New Hampshire. This

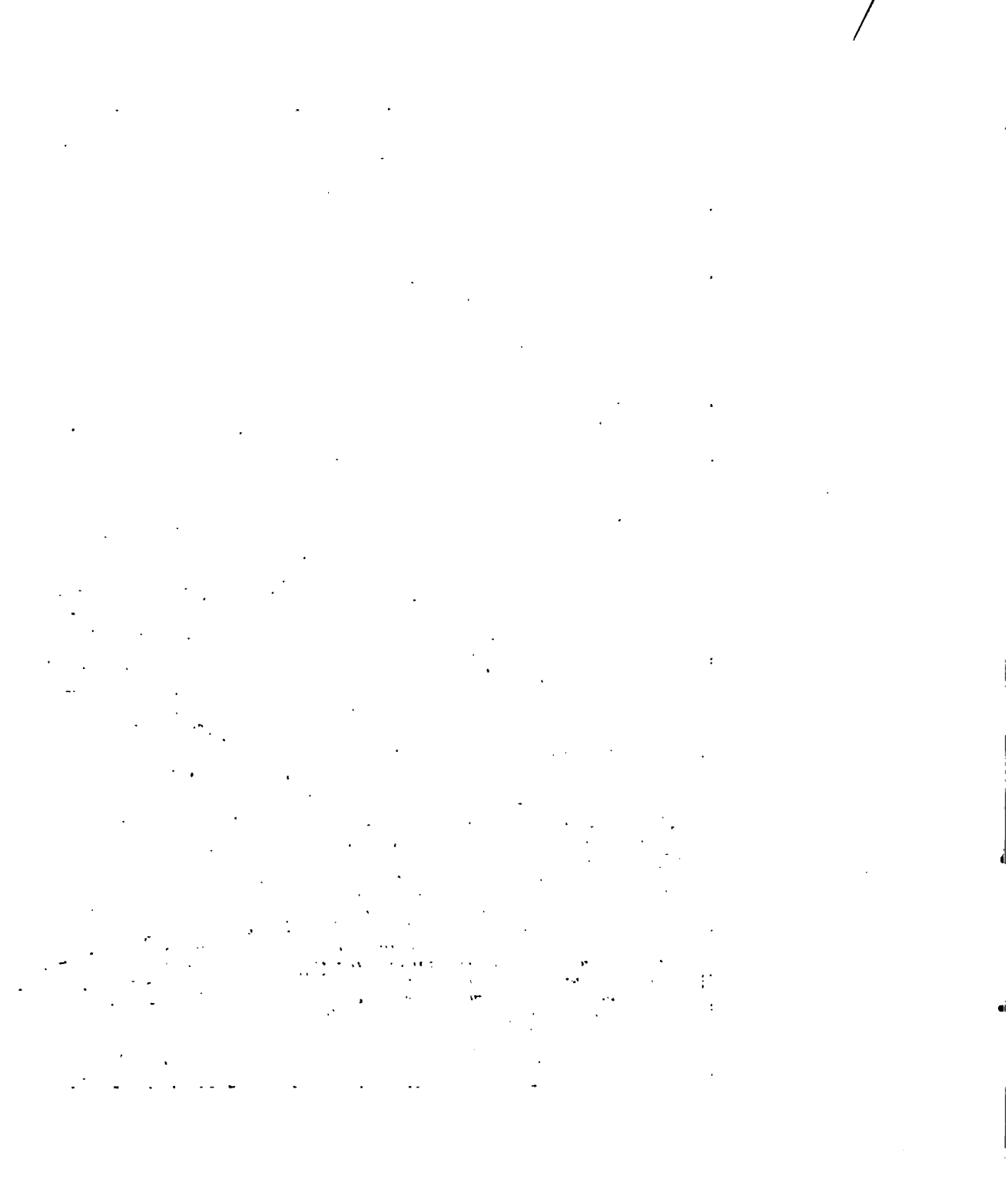
²⁷⁶ In 1749 the proprietors took a second deed comprehending all the latter deed was not recorded till 1753. *Ibid.* p. 264, citing *Records of Deeds*. The new territory is chiefly comprised in Pascataqua, whereas the former deed the Mariana grant.

In April, 1785, Gen. John Sullivan, of Durham, New Hampshire, attorney to the heirs of Samuel Allen, advertised, under date of April 10, in the "New Hampshire Gazette," that the heirs of Allen, and others claiming in their right, had "incorporated themselves into a Propriety," or association, for asserting their claim to the waste lands of New Hampshire under the Mason patent, and that those who had made improvements on said lands could be "quieted in their possessions," while other purchasers could have lands on reasonable terms. All persons were cautioned against "making purchases or improvements in the right of any other persons." The Masonian Proprietors replied in an advertisement, dated Portsmouth, April 12, 1785, which also appeared in the "Gazette," and which was signed by Woodbury Langdon, George Atkinson, William Whipple, and John Peirce, a committee of those who claimed under John Tufton Mason. In it people were cautioned against purchasing under the "pretended right" of the heirs of Allen.²⁷⁷ The warning of the Allen claimants does not seem to have been of much service, for those who held under the Masonian Proprietors maintained their possessions.

²⁷⁷ *Vide New Hampshire Gazette*, April 22, 1785, where both advertisements appear. Those who claimed the lands under the purchase by Allen "depended on the recognition of Allen's purchase in the charter of Massachusetts" of 1691. *Vide History of New Hampshire*, by J. Belknap, Vol. II. p. 265.









INTRODUCTION

TO

CAPTAIN JOHN MASON'S "BRIEF DISCOURSE."



HIS tract, entitled "A Briefe Discovrse of the Nevv-found-land," was first printed at Edinburgh, Scotland, in 1620, by Andro Hart, and was reprinted in 1867, by the Bannatyne Club, in a volume edited by David Laing, LL.D., entitled "Royal Letters, Charters and Tracts, relating to the Colonization of New Scotland and the Institution of the Order of Knights Baronets of Nova Scotia." It is also reprinted in the following pages. No copy of the original edition, as far as I can ascertain, is to be found in this country. In fact, the tract is so rare that Dr. Laing stated that he knew of only three copies.

In his Preface Dr. Laing gives a sketch of the early history of Newfoundland, from which some extracts will be made. After noticing the voyage of John Cabot and his sons in 1497,²⁷⁸ he proceeds:—

Nearly

²⁷⁸ For a good account of the discoveries of the Cabots and the sources of information on the subject, see *The Voyages of the Cabots*, by Charles

Deane, LL.D., in *Narrative and Critical History of America*, edited by Justin Winsor, Vol. III. (1884), pp. 1-58.

Nearly a century later Sir Humphrey Gilbert, with a comprehensive patent granted by Queen Elizabeth, took possession of Newfoundland; and various settlements were attempted at subsequent times, among others, by Alderman Guy of Bristol in 1609, by Captain Whitbourne in 1615, by William Vaughan, Captain Mason, and others. John Guy was governor of the English Colony there, and remained with his family for two years. Purchas, in his "Pilgrimes," has given the chief part of a patent granted by King James, together with a letter from Guy, to the Council of the Newfoundland Plantation, dated at Cuper's Cove, 16th May, 1611.

But the person who was most successful in directing the attention of the people of England to this settlement was Captain Richard Whitbourne of Exmouth. He states that he became an adventurer into foreign countries at fifteen years of age, was captain of a vessel of his own in 1588, and rendered good service at the time of the Spanish invasion. Having been employed more than forty years in making voyages to and from the island, he says, as "for the Newfoundland, it is almost so familiarly known to me as my owne contrey." He was the author of "A Discourse and Discovery of Newfoundland," Lond., 1620, 4to; "A Discourse, containing a loving Invitation," &c., Lond., 1622, 4to; and a republication of both, with alterations and additions, in the same year. In a letter addressed to George Duke of Buckingham, in 1626, Whitbourne states that his "Large Discourse" had been presented to King James, and that his Majesty had ordered it to be printed, and distributed in every parish throughout England, to show the benefits of settling a plantation in Newfoundland.

Captain John Mason, on the other hand, addressed himself to his friends in Scotland, and his account of Newfoundland may have largely influenced the proposed schemes for founding colonies on the continent, in Nova Scotia. He seems to have been a native of England,²⁷⁹ but his name first occurs in the years 1610 and 1611, when engaged

²⁷⁹ Capt. John Mason was born at was baptized there on the 11th of De-
King's Lynn, in Norfolk, in 1586, and cember. — *Ante*, pp. 8 and 34.

engaged on the west coast of Scotland, along with Andrew Knox, Bishop of the Isles, in attempting to curb the restless and predatory disposition of the islanders. In this enterprise Captain Mason was employed for fourteen months, and must have possessed means to have defrayed considerable expense, amounting to £2,238 sterling, which still remained due in 1629, as we learn from his Declaration.²⁸⁰

Being of an active, enterprising disposition, Mason, who was for some time governor of Newfoundland, undertook a careful survey of the island. In a letter addressed "To the right worshipfull Mr John Scot of Scottisterbatt, in Scotland, Director to His Majesties Court of Chancery there, at his house on the Cawfy of Edenborough," he promises to send him some account of his discoveries. The letter is dated "from the plantacion of Cuper's Cove in Terra Nova. ult. Augusti 1617." After alluding to the various hindrances to his duty, he expresses the hope that "I shall affoord you a Mapp thereof [Newfoundland], with a particular relacion of their severall parts, natures, and qualities." He then continues: "I am now a setting my foote into that path where I ended last, to discover to the westward of this land; and for two months absence, I have fitted mysele with a small new galley of 15 tonnes, and to rowe with fourteen oares (having lost our former). We shall visite the naturalls [natives] of the country, with whom I purpose to trade, and thereafter shall give you a tast of the event, hoping that withall *Terra Nova* will produce *Dona Nova*, to manifest our gratificacion. Untill which tyme, I rest and shall remayne *Tuus dum suus*, JOHN MASON."²⁸¹

The "Brief Discourse" which Mason sent to Sir John Scot was published by the latter at Edinburgh in 1620. The original tract, now reprinted, consists of seven leaves, and is so rare that only three copies are known to be preserved. . . .

In 1628 there appeared a quaint bombastic work, entitled "Quodlibets,

²⁸⁰ This Declaration will be printed in this volume. *Vide* LETTERS, 1629, "Declaration," &c.

²⁸¹ This letter will be printed in this volume. *Vide* LETTERS, August 31, 1617.

libets, lately come over from New Britaniola, Old Newfoundland. Epigrams and other small parcels, both morall and divine. . . . All of them composed and done at Harbor-Grace, in Britaniola, anciently called Newfound-Land. By R. H. (Robert Hayman), sometimes Gouvernour of the Plantation there." London, 1628, 4to. One portion the author dedicates "To the far admired, admirably fair, vertuous, and witty Beauties of England." . . . ²⁸²

Among the persons who had undertaken to plant large circuits in the southern part of "the island, commonly called the Newfoundland," was this William Vaughan of Tarracod, in the county of Carmarthen, Doctor of the Civil Law. Under the assumed name of Orpheus Junior, he published at London, in 1626, a fantastic work, entitled "The Golden Fleece . . . Transported from Cambrioll Colchos, out of the southernmost part of the island, commonly called the Newfoundland, by Orpheus Junior, for the general and perpetuall good of Great Britains." London, 1626, 4to. He mentions in terms of high commendation Captain Mafon, Sir William Alexander, and other adventurers; and gives an engraved map of the Island, by Captain Mafon.

Mafon's residence in Newfoundland was at Cuper's, or Cupert's, now Mosquito, Cove, in Conception Bay, where a few years before his arrival a settlement had been made, as Dr. Laing states, by Mr. John Guy of Bristol, subsequently Mayor of that city. This was the first permanent plantation on the island; and Mr. Guy and his English colony are

²⁸² Dr. Laing prints the lines addressed to Capt. Mafon and his wife and to Sir William Alexander, and adds: "Hayman addresses verses to other persons connected with New Foundland, such as: 'To the right worthy, learned, and wife Master William Vaughan, chief Vndertaker for the Plantation in Cambrioll, the Southermost part of New-

found-Land, who with penne, purse, and person hath, and will proue the worthines of that enterprise.' Also, 'To the same industrious Gentleman, who, in his Golden-Fleece, styles himself Orpheus Junior.'" The verses to Capt. Mafon and his wife are printed as a foot-note to Mr. Tuttle's Memoir of Mafon in this volume, *ante*, p. 14.

are said to have been the first Europeans to winter there, and "make it apparent to the world that it was habitable and commodious for the use of mankind." Mr. Guy spent two winters at the plantation. The colony was sent out by a corporation entitled "The Treasurer and the Company of Adventurers and Planters of the Citie of London and Bristol for the Colony or Plantation in Newfoundland." By letters-patent dated April 27, 1610, King James I. granted to this company the territory between Cape Bonavista and Cape St. Mary, and all the seas and islands within ten miles of the coast from latitude 46° to 52° N. The grantees were the Earl of Northampton, Sir Francis Tanfield, Sir Francis Bacon, and forty-five other associates.²⁸³ Mr. John Slany of London was treasurer.²⁸⁴ The Rev. Samuel

²⁸³ The Charter is printed in *Purchas his Pilgrimes*, by the Rev. Samuel Purchas (1625), Vol. IV. pp. 1886, 1887. The grantees were, Henry, Earl of Northampton, Keeper of the Privy Seal; Sir Lawrence Tanfield, Baron of the Exchequer; Sir John Doddridge, Sergeant-at-law; Sir Francis Bacon, Solicitor-General; Sir Daniel Dun, Sir Walter Cope, Sir Percival Willoughby, Sir John Constable, Knights; John Weld, Esq.; William Freeman, Ralph Freeman, John Slany, Humphrey Slany, William Turner, Robert Kirkham, Gentlemen; John Weld, Gentleman; Richard Fishburne, John Browne, Humphrey Spencer, Thomas Juxon, John Stokely, Ellis Crispe, Thomas Alport, Francis Needham, William Jones, Thomas Langton, Philip Gifford, John Whittingham, Edward Allen, Richard Bowdler, Thomas Jones, Simon Stone, John Short, John Vigers, John Juxon, Richard Hobby, Robert Alder, Anthony Haveland,

Thomas Aldworth, William Lewis, John Guy, Richard Hallworthy, John Langton, Humphrey Hooke, Philip Guy, William Meridith, Abram Jenings, and John Doughtie.

²⁸⁴ *Vide Purchas his Pilgrimes*, by S. Purchas (1625), Vol. IV. pp. 1876-1891; *A Discourse and Discovery of Newfoundland* (1620), p. 25; *The Golden Fleece*, by Orpheus Junior (Sir William Vaughan) (1626), Part III. p. 27; *Newfoundland in 1842*, by Sir Richard Henry Bonnycastle (1842), Vol. I. pp. 67-69; *Catechism of the History of Newfoundland*, by William Charles St. John (1855), pp. 15-18. In the first-named work Rev. Mr. Purchas prints letters written from Newfoundland to John Slany by John Guy, dated May 14, 1611, and July 29, 1612 (*vide Purchas his Pilgrimes*, Vol. IV. pp. 1877-1880). He prints also the *Relation of Capt. Richard Whitbourne* (*vide* pp. 1882, 1883), from that author's printed book.

Samuel Purchas, in his "Pilgrimage," gives this account of the colonization of Newfoundland:—

It is with-in-land a goodly Countrey, naturally beautified with Rofes, sowne with Pease, planted with stately trees, and otherwise diuerfified both for pleasure and profit. And now our English Nation doe there plant and fixe a fettled habitation: a chiefe actor and author of which businesse is Mr *John Guy* of Bristow, who in the yeere 1608. Sayled from Bristow in three and twentie dayes to Conception Bay²⁸⁵ in Newfoundland. Of this Plantation and their wintrings, and Continuance there I haue seene diuers Relations with Mr. *Hakluyt* written by Mr *Guy*, *William Colston &c.*

In the yeere 1611 in *October* and *November*, they had scarcely six dayes frost or snow, which presently thawed, the rest of those Moneths being warmer and dryer then in England: *December* was also fayre, with some Frost, Snow, and Raine, The winde in these three Moneths variable, from all parts. *January* and *February* was most part Frost to mid March: the Wind most Commonly Westerly, and sometimes from the North. The Sunne often visited them with warme and comfortable rayes, chasing away the Snow, and not suffering the Brookes to bee frozen ouer three nights with ice able to beare a Dogge. The Snow was neuer (except in drifts) aboue 18 inches deep. They had there²⁸⁶ Filberds, Fish, Makerels, Foxes, in the Winter: Partridges, white in the Winter, in Summer somewhat like ours, but greater; they are much afraid of Rauens. They killed a Wolfe with a Mastiue and a Grey-hound. Eastons pyracies were some trouble to them.

Anno 1612 They found houses of Sauages, which were nothing but poles set round and meeting in the top, ten foot broad, the fire in the middest, couered with Deeres-skins. They are of reasonable stature, beardlesse, and in conditions like to those which Sir Martin Frobisher,

²⁸⁵ Concep. Bay in 48. M. Gay his letter to M. Slany. — *Marginal note by Purchas.* ²⁸⁶ 1 W. Colston. — *Marginal note by Purchas.*

Frobisher discovered : broad-faced, full-eyed, coloured on their faces apparell with red Oaker : Their Boates of barke, as in Canada, twentie foote long, foure and a halfe broad, not weighing 100. weight, made in forme of a new Moone, which carry foure men, and are by them carried to all places of their remouings. Their Patent was granted 1610, for Plantation betweene fortie fix and fiftie two, to bee gouerned by a Councell of Twelue and a Treafurer. There wintered 1612 fiftie foure men, fix women and two children. They killed there Beares, Otters, Sables : sowed Wheat, Rye, Turneps, Cole-worts, Their Winter till April 1613, was dry, and cleere with some frost and fnow. Diuers had the Scuruie, whereto their Turneps, there sowne, were an excellent remedie, no lesse then Cartiers Tree hereafter mentioned. *April* was worfe then the middest of Winter. by reason of East-windes which came from the Islands of Ice, which the current bringeth at that time from the North. The same I haue seene confirmed by a letter of Thomas Dermer, one of that Colonie, dated at Cupers Coue, the ninth of September last, 1616. In other moneths, hee sayth, the Temperature is as in England, He mentions Muske-Cats and Muske-Rats in those parts ; the fertilitie of the soyle in producing Pease, Rye, Barly and Oates ; probabilities of Metals ; with promifes of more full Relations hereafter.²⁸⁷

In 1615 Capt. Richard Whitbourne of Exmouth in Devonshire, referred to by Dr. Laing, was "sent to Newfoundland with a commission from the Admiralty of England to establish order among the boisterous fishermen, and to correct the great abuses which had subsisted among them."²⁸⁸ He sailed from Exeter in Devonshire, May 11,

1615,

²⁸⁷ *Purchas his Pilgrimage or Relations of the World*, by Samuel Purchas (1617), p. 930. *Vide also Purchas his Pilgrimes* (1625), Vol. V. pp. 822, 823.

²⁸⁸ *Newfoundland in 1842*, by Sir R.

H. Bonnycastle, p. 73. *Vide also Discourse and Discovery of Newfoundland*, by Capt. R. Whitbourne (1620), p. 12 ; *Purchas his Pilgrimes*, Vol. IV. p. 1883.

1615, in a bark manned and victualled at his own expense, arrived in Trinity Bay on Trinity Sunday June 4, and anchored the same day in Trinity Harbor. Here he held a court. This he states was "the first Inquest that euer was impanelled in New-found-land."²⁸⁹ He also held courts and empanelled juries in other harbors most frequented. One hundred and seventy masters of vessells submitted their grievances to his jurisdiction. There were then on the coast of Newfoundland 250 sail of English ships, great and small, the tonnage amounting to more than fifteen thousand tons. The value of the train oil taken was estimated at £15,000, and the total value of oil and fish at £135,000.²⁹⁰

In the same year, 1615, Capt. John Mason succeeded as governor of the plantation founded by Mr. John Guy. He resided there six years, returning to England in 1621. During his residence other plantations were made in the island. Sir William Vaughan, D. C. L., son of Walter Vaughan of Golden Grove, Carmarthenshire, and brother of John, first Earl of Carberry, purchased in 1616 a part of the territory granted to Lord Northampton and his associates.²⁹¹ In 1617, as he states in his "Newlander's Cure," he transported certain colonies of men and women at his own charge. After this, finding the burthen too heavy, he assigned the northerly portion of his grant to the Right Hon. Henry Lord Cary, Viscount Falkland, and to Sir George Calvert, the Secretary of State,

²⁸⁹ *A Discourse and Discovery of Newfoundland*, by R. Whitbourne (1622), p. 64.

²⁹⁰ *Discourse and Discovery of Newfoundland*, by R. Whitbourne (1620), p. 12. *Vide also Purchas his Pilgrimes*,

by S. Purchas (1625), Vol. IV. p. 1886; *Newfoundland*, by Sir R. H. Bonnycastle, Vol. I. p. 73.

²⁹¹ *Newfoundland*, by R. H. Bonnycastle, Vol. I. p. 73.

State.²⁰² Vaughan's settlement, which was at the head of Trepaffey Bay, was named Cambriol. It is on that part of the fouth coast named Little Britain.²⁰³

Lord Falkland, who is named by Vaughan as one of the purchasers of a portion of his territory, owned, in 1622, two tracts in Newfoundland, and sent, or made preparations to send, colonists to his fouthern territory. This was a narrow strip of land only six miles wide, extending from Renowes Harbor to the Bay of Placentia; and it lay between the plantations owned by Vaughan and Calvert. Lord Falkland's agent in London was Mr. Leonard Wellsted. The northern tract, which bears the name of North Falkland, was on Trinity Bay.²⁰⁴

Sir George Calvert, also named by Sir William Vaughan as a purchaser of territory from him, was a fellow student of Vaughan at Oxford University. The purchase was made about the year 1620. Calvert gave to this territory the name of Avalon. He sent out a colony under Capt. Edward Wynne, who made a settlement at Ferryland. In April, 1623, he obtained from the king a charter of the Province of Avalon, with powers of government. The territory comprised the whole of the peninsula formed by Placentia and Trinity bays. Calvert, on the 16th of February, 1624-5, was created Baron of Baltimore, of Baltimore, in the county of Longford, Ireland. He is best known as the founder of the State of Maryland. In 1627 Lord Baltimore visited

²⁰² *Vide Newlander's Cure*, by W. Vaughan (1630), quoted in *North American Review*, Vol. IV. p. 291.

²⁰³ *Newfoundland*, by R. H. Bonny-castle, Vol. I. p. 74.

²⁰⁴ *A Discourse containing a Loving Invitation*. By R. Whitbourne (1622), pp. 3-10. This book is dedicated to Lord Falkland.

visited his plantation, and in the spring of 1628 removed thither with his family, and resided there over a year, returning in the fall of 1629.²⁰⁵

In 1622, the year after Mason left Newfoundland, Captain Whitbourne, in the preface to the edition of his "Discourse and Discovery of Newfoundland," issued that year, gives a list of those "who have undertaken to help and advance his Majesties Plantation in New-found-land," with notices of what each of these adventurers had done or intended to do. The list comprises Lord Falkland, Sir George Calvert, John Slany as treasurer of the Patentees, divers citizens of Bristol, and Dr. William Vaughan. Other adventurers not named are referred to.²⁰⁶

Mason's tract on Newfoundland was one of the earliest printed works on that island. It is also the most complete account of the situation, climate, and productions of the island which had then appeared. The author, like his contemporaries, was evidently too sanguine in regard to the resources of the island for the support of a large colony, and spoke of its agricultural capabilities in too glowing terms. Still the work contains much reliable information relative to an island that even then had long been the resort of those engaged in the fisheries. Mr. Samuel Adams Drake, author of "Nooks and Corners of the New England Coast" and other works illustrating American history, visited the island a few

²⁰⁵ *Vide Discourse and Discovery of Newfoundland*, by R. Whitbourne (1622), Preface; *Catechism of the History of Newfoundland*, by W. C. St. John, p. 17; *Sir George Calvert, Baron of Baltimore*, by Lewis W. Wilhelm, in

Maryland Historical Society's Publications (1884), pp. 114-141.

²⁰⁶ *Discourse and Discovery of Newfoundland*, by R. Whitbourne (1622), Preface. The list is reprinted by Purchas in his *Pilgrimes*, Vol. IV. p. 1888.

few years ago for the purpose of familiarizing himself with the topography of the country to enable him to prepare a book upon Newfoundland, and has furnished me with the following strictures upon Mason's tract. They may be applied to other early accounts of Newfoundland.

This "Briefe Discourse," so evidently prepared for the purpose of "inciting our Nation to goe forward in that hopeful plantation begunne," partakes, we are constrained to say, in no small measure, of that spirit of exaggeration which has at all times characterized the promoters of schemes of colonization. This disposition to "boom" a new country at the expense of actual fact is apparent in most of the early chronicles relative to America, but is nowhere more conspicuous than in Capt. Mason's account of Newfoundland. Sir Egerton Brydges calls this habit of exaggeration a lamentable want of integrity. The final commentary upon all that Mason says, or suggests, concerning the agricultural resources of the island, is that its whole vast interior remains just as much a wilderness to-day as when first discovered, no settlement existing anywhere except on the seacoast, and only here because of the fisheries. And it is a good deal more of a question to-day than it seems to have been in 1620, even with several years' experience of soil and climate, whether development of the interior is practicable. If wheat, rye, barley, oats, and pease ripened at Mosquito Cove "as well and timely as in Yorkshire in England," in Mason's time, such is not the case to-day. The island imports all its breadstuffs. In the month of August the writer saw small patches of oats being cut for fodder, and was told that it was usual to have frosts so early in September that there was little chance of the grain coming to maturity. All the southern portion of the island is a series of barren, treeless ridges, overspread with stones and showing only the scantiest vegetation. The region is appropriately known on the island as "barrens." It is needless to add that no stone remains to identify the site of Mason's plantation.

What

What Mafon has to say about the fishery of his day makes the really valuable portion of his Discourse, and we therefore sincerely regret that he did not go more fully into the details of an industry that always has constituted the wealth of the island, and is the main dependence of ninety-nine in every hundred of its inhabitants to-day.

Capt. Mafon's map of Newfoundland was not published with his "Brief Discourse." It did not appear till five years later, 1625, in Sir William Vaughan's "Cambrensiūm Caroleia." It was reissued the next year, with slight variations, in that writer's "Golden Fleece." Mr. Tuttle calls the map the first "made from actual survey."²⁹⁷ It is one of the first, if not the first, to represent Newfoundland as a single island. The facsimile here given is from the "Golden Fleece."

The "Brief Discourse" is reprinted in the following pages. In doing this, Dr. Laing's reprint of 1867 has been used by the compositor to set up the type; but, to insure accuracy, the proof has been sent to England and corrected by the copy of the original edition in the British Museum. The edition of 1620 consists of seven leaves, the pages of which are not numbered. Dr. Laing's reprint for the Bannatyne Club corresponds with the 1620 edition, page for page and line for line. It has not been thought advisable to attempt this in the present reprint, but pages 1 to 4 contain here the same matter as those pages in the original, while the division of the subsequent pages is clearly indicated.

²⁹⁷ *Vide ante*, p. 12.



A
BRIEF DISCOURSE
of the Nevv-found-land,

*with the situation, temperature,
and commodities thereof,
inciting our Nation to goe
forward in that hope-
full plantation begunne.*

Scire tuum nihil est, nisi te scire hoc sciat alter.



EDINBURGH,
Printed by *Andro Hart*. 1620.

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TO THE RIGHT
WORSHIPFULL SIR
IOHN SCOTT
of Scots-Tarvet,
KNIGHT, &c.



IR, you are like to haue none other accompt for the present than such as Marchant-Factors, after bad markets returne, that is, papers for paymēt, for liuers lines. The which though not so acceptable as more solide returnes, yet giues some satisfactiō for the expenses of time questionable. I haue sent you a discourse of our Countrie penned at the request of friends, for the better satisfaction of our Nobilitie, vnpolished and rude, bearing the countries badge where it was hatched, onely clothed with plainnesse and trueth. I intreat your fauourable acceptation thereof, as your wonted clemencie hath beene to the Author, if you thinke it may doe good by encouraging any of your Countrie to the interprise, I am willing you publish it, other wise let it bee buried in silence as you shall thinke meetest, and esteeme mee still one of whome you haue power to dispose.

IOHN MASON.



To the Reader.



OR as much as there bee sundrie relations of the New-found-land and the commodities thereof, Some too much extolling it, some too much debasing it, preferring the temperature of the aire thereof before ours, the hopes of commodities there without paines and mineralles, as if they were apparent (which as I deny to bee a veritie, yet I affirme not to bee impossible) with other narrations dissenting from the trueth, the which although done out of a good affection, yet had they better beene vndone. I haue therefore (gentle Reader) hoping of thy fauourable construction, set downe in few and plaine tearmes out of that experience I haue gained in three yeares and seuenth monthes residence there, the trueth, as thou shalt finde by prooffe thereof, to the which I recommend thee and vs all to his Grace, that is able and will plant those that feare him in a better Kingdome. Farewell.

*Thine and his Countries in
part, not whollie his owne.*

I O H N M A S O N.



A BRIEF DISCOVRSE

of the Newfoundland, with the

*Situation, temperature, and commodities thereof, inciting our Nation to goe forward in
that hopefull Plantation begunne.*



HE Countrie commonly knowne and called by the name of Newfoundland, albeit it is so much frequented and resorted yearely to, by thousands of our Nation and others, which haue scarcely so much as a superficial knowledge thereof (onely so much as concerneth their fishings excepted) is an Iland or Ilands as some plats haue described it, situate on the front of *America*, betwixt 46. and 52. degrees of Northerly latitude, of the bignes of *Ireland*. the Eastermost side thereof bounded with the Ocean extendeth it selfe nearest North and South: the variation allowed 100. Leagues, the south face deuided from the Iles of *Cap. Breton* by the Gulfe of Sainct Lowrence a straighth of 27. Leagues ouer lyeth West. and by North northerly, and East and by South Southerly in length 77. Leagues, on the West part imbraced by the Grand-bay stretching

stretching it selfe Northeast and Southwest 75. Leagues. and on the North confined by the Norther arme of the Grand-bay which separate thit from the continent of || ²⁹⁸ *Noua Francia*, making a fret of 7. Leagues wide, & is described by the Rhombe of W. and by North and E. and by S. 25. Leag. Almost of a Triangular forme sauing that many bays & Inlets making inroachment haue disfigured the face thereof with Scars, eating into the land into 40 leagues space on the South part where we haue seached 30 as good Harbours as the world affords. The longitude thereof reackoned from the westermost part of the *Insula fortunata* is 330 degrees, distant in the Line of West & by the South from our *Meridian* 45. degrees by cōmon account which in the middle parallell of the differēce the Latitude betwixt the lāds end of *England* & the bodie of Newfoundland at 39. one halfe miles answerable to each degree in the same maketh 1764. miles or 588 Leagues. The aire subtile & wholefome, the Summer season pleasant conforme to the like latitude in Europe, sauing that y^e woodie places in Iune & Iulie are somewhat pestered with small Flies bred of the rottenes of ruined woode & moysture like as in *Russia*. The Winter degenerating therefrom, being as cold & snowy as 60 degrees in Europe, & of the like temperature in December, Ian. Febr. March, as the northermost parts in *Scotland*. viz. The Hebrides and the Orcades wherin I haue twise wintered, or of the Coast betwixt *Hamburgh* & the mouth of the *Sound* or *Nose* of *Norway*: yet more comfortable for the length of the day in Winter, which exceedeth theirs three houres at the least.

And

²⁹⁸ This mark is used here and elsewhere to indicate the end of the page in the original Tract.

And albeit it be thus cold in the Winter season by accidentall meanes, contrarie to the naturall position thereof in the Spheare, yet is it tollerable, as by experience, so that there needs no Stoaues as in *Germanie*: Likewise fruitfull enough both of Sommer and Winter corne, an example for our confirmation thereof we haue in *Poland* one of the greatest corne Countries of Europe & yet as cold and subject to freizing as Newfoundland, as also our owne experience both in Wheate, Rye, Barlie, Oates, and Pease, which haue growen and ripened there as well and als timely as in *Yorkshire* in *England*. And for growth of Garden herbes of diuers sorts as Hysope, Time, Parsely, Clarie, Nepe, || french Mallowes, Buglosse, Collombines, Wormewood, &c. There is at this present of 3. yeares old of my sowing, likewise Rosemary, Fenell, Sweet marierim, Bassell, Pursely, Lettise, and all other Herbes & Rootes: as tornepe, Parsneps, Carets, and Radishes we haue found to growe well there in the Sommer season. The common wild herbes of the Countrie are Angelica, Violets, Mints, Scabius, Yarrow, Ferne, Sarsaparilla, with diuers other sorts whereof I am ignorant; But suppose would for variety and rariety compose another Herball; of these kinds we haue only made vse of certain great green leaues plentifully growing in the woods, and a great Roote growing in fresh water ponds, both good against the Skiruye, and an other prettie Roote with a blew stalke and leaues of the nature of a Skirret growing in a dry Beachy ground, good meate boyled: The Countrie fruites wild, are cherries small, whole groaues of them, Filberds good, a small pleasant fruite, called a Peare, Damaske Roses single very sweet, excellēt Straberries, and Hartleberries with
abundance

abundance of Rasberries, and Gooseberries somewhat better than ours in *England*, all which replanted would be much enlarged. There is also a kinde of wild Coranies, wild Pease or Feetches in many places which we haue both found good meat and medecine for the Skiruy; The Land of the North parts most mountanye & woodye very thick of Firre trees, Spruce, Pine, Lereckhout, Aspe, Hafill, a kinde of stinking wood, the three formeſt goodly Timber and most conueniēt for building. No Oakes, Ashe, Beech, or Ellmes, haue we seene or heard of; the greatest parts of the Plaines are marish and boggs, yet apt to be drawen dry by meanes of many fresh Lakes intermixt which paye tribute to the Sea; and on the brinks of these Lakes, through which the water draines away from the rootes of the Grasse, it flourisheth, in the other parts of the Plaines where the water standeth and killeth the growth of the Grasse with his coldnesse it is rushie and seggy; in some parts is barren, & mossie ground, but that that is firme and dry beareth good grasse. The || Spring beginneth in the end of Aprill, & Haruest continueth while Nouember, I haue seene September and October much more pleasant than in *England*; The South part is not so mountainous nor so woodie, for being a little passed vp from the Sea coast the continent hath champion ground for 40. miles together in North and South extent of the like nature of the former, hauing pretty Groues and many fresh laks replenished with Eeles & Salmon-Troutes great, and in great plentie. The Beastes are Ellans, Follow-deare, Hares, Beares harmeles, Wolues, Foxes, Beauers, Catnaghenes excellent, Otteres, and a small beast like a Ferret whose excrement is Muske, And the Plantations haue prettie stoare of Swine
and

and Goates. The Fowles are Eagles, Falcons, Taffills, Mar-
lins, a great Owle much deformed, a lesser Owle, Buffards,
Gripes, Ospraves which diue for fishes into the Water,
Rauens, Crowes, wild Geese, Snipes, Teales, Twillockes, ex-
cellent wilde Duckes of diuers sorts and abundance, some
whereof rare and not to be found in Europe, Their par-
ticulars too tedious to relate, all good meate, Partriches
white in Winter, and gray in Summer, greater thā ours,
Butters, blacke Birds with redd breastes, Phillidas, Wrens,
Swallowes, Iayes, with other small Birds, and 2. or 3. excel-
lent kinds of Beach Birds very fat and sweet, & at the plāta-
tions English Pigeons. The sea fowles, are Gullles white and
gray, Penguins, Sea Pigeons, Ice Birds, Bottle noses, with
other sortes strange in shape, yet all bowntifull to vs with
their Egges as good as our Turkie or Hens, where with the
Ilelands are well replenished. But of all, the most admirable
is the Sea, so diuerfified with feuerall sorts of Fishes abound-
ing therein, the consideration whereof is readie to swallow
vp and drowne my senses not being able to comprehend or
expresse the riches therof. For could one acre therof be
inclosed with the Creatures therein in the moneths of Iune,
Iulie, and August, it would exceed one thousand acres of the
best Pasture with the stocke thereon which we haue in *Eng-
land*. May hath Herings on equall to 2. of ours, Lants || and
Cods in good quantity, Iune hath Capline, a fish much re-
sembling Smeltes in forme and eating, and such abundance
dry on Shoare as to lade Carts, in some partes pretty store
of Salmond, and Cods so thicke by the shoare that we heard-
lie haue beene able to row a Boate through them, I haue
killed of them with a Pike; Of these, three men to Sea in a
Boate

Boate with some on Shoare to dresse and dry them in 30. dayes will kill commonlie betwixt 25. and thirty thousand, worth with the Oyle arising from them 100 or 120. pound. And the fish and Traine in one Harbour called Sainct Iohns is yearly in the Sommer worth 17, or 18. thousand pounds. Iulie, and so till Nouember, hath Macrill in abundance: one thereof as great as two of ours, August hath great large Cods but not in such abundance as the smaller, which continueth with some little decreasing till December; What should I speake of a kinde of Whales called Gibberts, Dogfish, Porposes, Hering-Hogges, Squides a rare kinde of fish, at his mouth squirting mattere forth like Inke, Flownders, Crabbes, Cunners, Catfish, Millers, thunnies &c. Of al which there are innumerable in the Summer season; Likewise of Lobsters plentie, and this last yeare stoare of Smelts not hauing beene knowne there before. I haue also seene Tonnie fish in Newland; now of shell fish there is Scalupes, Muffeles, Vrfenas, Hens, Periwinkles &c. Here we see the chiefe fishing with his great commoditie expressed, which falleth so fitly in the Summer season betwixt seed-time and Haruest that it cannot be any hinderance to either. I haue heard some countries commended for their two fowld Haruest, which heare thou hast, although in a different kinde, yet both as profitable, I (dare say) as theirs so much extolled, if the right course be taken; & well fareth, that country say I, which in one months time with reasonable paines, wil pay both landlords rent, seruants wages, and all Household charges. But peraduenture some squeayfie stomake will say, Fishing is a beastly trade & vnseeming a Gentleman, to whom I answere (*Bonus odor luti cū lucro*) & let them

them propound the Holanders|| to themselves for example whose Countrey is so much enriched, by it; others say the Countrey is barren, but they are deceived, for *Terra quæ tegit seipsam tegit Dominum*, and the great abundance of Woodes and wilde Fruites which exceedingly flourish there proue the contrary. And what though the fertility of the soyle and temperature of the Climate be inferiour to *Virginia*, yet for foure maine Reasons to be laid downe it is to be paralleled to it, if not preferred before it, the which we will heere propound.

1. The first reason is the nearenes to our owne home, which naturally we are so much addicted vnto, being but the halfe of the way to *Virginia*, hauing a conuenient passage for three seasonable monthes, March, Aprill, and May, which alwayes accomodate faire windes to passe thether, sometime in 14. or 20. dayes, seldome in thirtie dayes. Likewise the commodious returne in Iune, Iulie, August, September, October, and Nouember, sometimes in 12. 16. 20. and now and then in thirtie dayes.

2. The great intercourese of trade by our Nation these threescore years and vpwards, in no small numbers frequenting the New-found land, and daylie increasing, with the likeness thereof to continue, fish being a staple commoditie with vs, and so sellable in other countries yearlie employing 3000. thousand Sea-men and breeding new daylie, also fraighting three hundreth Ships in that voyage, and releuing of 20000. people moe here in *England* (for most of these fishers are married and haue a charge of Children, and liue by this meanes not being able to gaine halfe so much by another labour) furthermore the reuenew that groueth to the

King by the customes of *French*, *Spanish* and Straights goods imported, from the proceede of this fish trade suppose at the least to the value of ten thousand pounds yearly.

3. The conueniency of transporting plantors thether at the old rate, ten shillings the man, and twentie shillings to find him victual thether, likewise other commodities by shippes || that goe sackes at ten shilling pertunne out, and thirtie shillings home, whereas *Virginia* and *Birmooda* freightes, are five pound the man and three pound the tunne.

4. Fourthly and lastly, Securitie from foraine and domesticke enemies, there being but few Saluages in the north, and none in the south parts of the Countrie; by whom the planters as yet neuer suffered damage, against whom (if they should seeke to trouble vs,) a small fortification will serue being but few in number, and those onely Bow men. Also if any Warres should happen betwixt vs and other Nations, wee neede not feare rooting out. For the Yce is a Bulwarke all Aprill commonlie and after that during the whole Summer wee haue a garison of 9. or 10. 1000 of our owne Nation with many good and warlike Shippes, who of necessitie must defend the fishing season for their liuings sake, as they alwayes formerlie haue done in the Warres with *Spaine*. And afterwards in the monthes of Haruest and Winter the winds are our friends and will hardlie suffer any to approach vs, the which if they should, the cold opposite to the nature of the Spainard will giue him but cold Intertainment; neither will the Plantours be altogether puffed vp with carelesse securitie, but fortifie in some measure knowing that *Non sunt securi qui dant sua Colla securi*.

Nowe

Nowe hauing formerly layed downe the temperature of the Aire and disposition of the Weather in the Winter season to be cold and consequently differēt from other places of the same situation vnder the same Parallel in Europe, and by experience answerable to 59. or 60. degrees thereof. It will be expected that I should shew some reasons concerning the same which according to mine opinion (submitting my selfe to better Iudgements) I will set downe; It being a generall rule approued through *America* that any place vnder the same Parallel of another place in Europe is as cold as those places which are situate in 12. or 13. degrees to the North wards therof, and the same rule holdeth alike on|| either side of the Equinoctiall. For example, the straights of *Magelan* in 54. to the South of the Equinoctiall, are more cold, snowie and boysterous than any part of Europe in 65. Likewise on this side the Line, the Country about the Riuer *Orenoaque* and *Trinidad* in 9. or ten degrees is found as temperate as *Gualata* vnder 23. degrees of more northerlie latitude in *Africa*. So likewise Sainct *Augustine* in *Florida* vnder 31. degrees is anserable to *Valadulid* in 42. degrees in *Spaine*, also the plantations vnder 37. degrees in *Virginia* are correspondent in the Winter to the temperature of *Deuenshire* or *Cornewall* vnder 50. degrees heare in *England*, and although their Summer bee some what hotter in regard of the nearenes of the Sunne, being then in *Cancer* within 15. degrees of their Zenith, the Radius therof then striking neare at a right Angle, causing a strange reflection, yet would it be much hotter if the Sun in his passage ouer the great *Oceane* 3000. miles broad vnder that Paralel, betwixt Europe & *America*, by the exhalation of waterish vapours & much moisture

moisture thereout, into the middle region of the Aire, did not coole the same, which being made more grosse & thick with misty Clouds, his Beames cannot pearce through with their propre vigor and force, to heate the Earth; To this cooling of the Sunnes heate helpeth also all those great fresh ponds and lakes so abounding in *America*. Fresh waters being more naturally cold than salt, and both colder than the Earth, of like qualitie also are the marish and Boggie groundes, the Lands not manured and therefore more naturally cold, the Country slenderly peopled, voide of Townes and Cities, whereof Europe is full; the smoake whereof and heate of fires much qualifieth the coldnesse of the Aire. Lastly the chiefeft reason of the coldnesse in New-found-land in the VVinter season is the Yce which beeing congealed into great firme Lands, Euen from the North Pole, all alongst the Coast of *Gronland*, *Grenland*, The North-west passage *Terra de laberador* & so towards the Grand bay, all that tract hauing many Inlets and broken Lands apt as vnnaturall || wombes to breede and bring foorth such Monsters, which being nursed in their ruder armes, till the VVinter season past, are turnde foorth of doores in the Spring to shift for themselues, and being weary of their imprisonments in those angrie Climes with one accord as if they had agreed with winde and streame take Ferrie into New-found-land, which immuring vs in the months of Febru. & March, both which are subject to northeast winds & blowing from this Yce causeth it very cold. The currant stil setting it southward as a Iaylor to bring it before the Iudge, neuer leaueth it till with the helpe of the outset of Sainct *Lawrence* Gulfe it be presented nearer the Sun to be broild by his scorching
Beames

Beames and confumed. I cannot deny but in some VVinters betwixt Christmas and March, Yce is bred in the Harbors and bayes of New-foundland, by reason of the calmenesse of the winds there incident, And the want of streames not causing motion in the Waters, and when it is so frozen, it is none otherwise then the Texsell or Inner Seas in Holand of 15. or 18. Inches thicknesse, and breakes and consumes in the Spring; all fresh Lakes frozen opens in the end of March or the beginning of Aprill, which brings with it many showers to wash away Snow, and bare the ground; and in the middle of the Month many Ships arriue of the *English*, some *French*, and in the midst of May some *Portingalls*. All which as so many Reapers come to the Haruest, gathering in abundance the wonderfull blessings of the Lord.

I might heare further discourse of our discoveries, conference with the Saluages by Master *John Gye*, their maner of life. Likewise of the managinge our businesse in our Plantations, with the descriptions of their situations in 2. places 16. miles distant from other, on the northside the bay of Conception; of the manner charge and benefite of our fishings with the seuerall strange formes, and natures of Fishes, projects for making Yron, Salt, Pitch, Tarre, Tirpentine, Frank-Incense, Furres, Hope of trade with Saluages and such like, with many accidents and occurrences in the time of || my gouernment there, but these may suffice as *Verbum sapienti*; being of sufficient trueth to remoue errors of conceiuing the Countrie more pleasant by reason of his naturall sight in the Spheare, then it is indeede, also to convince and take away malicious and scandalous speeches of maligne persons,

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persons, who out of enuy to GOD and good Actions
(instructed by their father the Deuill) haue fought to dis-
poile it of the dewe, and blamish the good name thereof.

And lastlie to induce thee, gentle Reader, to the true
confideration thereof as a thing of great con-
sequence to our Nation not only at present,
but like to bee much more beneficiall
when the plaintations there shall in-
crease, which God grant to his
owne glorie and the good
of our Common-
Wealth.

FINIS.





EARLY ENGLISH WORKS ON NEWFOUNDLAND.



THE following titles of early English works relating to Newfoundland will be found interesting by our readers, particularly those issued during the lifetime of Mason. Appended to the titles are the names of several libraries containing copies of the original editions of the works mentioned.

[SIR GEORGE PECKHAM].

A True Reporte, Of the late discoueries, and possession, taken in the right of the Crowne of Englande, of the New-found Landes : By that valiaunt and worthye Gentleman, Sir Humfrey Gilbert Knight. Wherein is also breiefely sette downe, her highnesse lawfull Tytle therevnto, and the great and manifolde Commodities, that is likely to grow thereby, to the whole Realme in generall, and to the Adventurers in particular. Together with the easines and shortnes of the Voyage. Seene and allowed. *At London, Printed by I. C. for Iohn Hinde, dwelling in Paules Church-yarde, at the signe of the golden Hinde. Anno. 1583.* 4to, 36 leaves.

Two editions the same year.

Copies :

Copies : (1) British Museum, London, England, C. 32, c. ; (2) Do. C. 13, a. 9 (2), *imperfect* ; (3) Public Library, Cambridge ; (4) Bridgewater House ; (5) Charles H. Kalbfleisch, New York, N. Y.

CAPT. RICHARD WHITBOURNE.

A Discovrfe and Discovery of Nevv-fovnd-land, with many reasons to proove how worthy and beneficiall a Plantation may there be made, after a far better manner than now it is. Together with the Laying open of certaine enormities and abuses committed by some that trade to that Countrey, and the meanes laide downe for reformation thereof. Written by Captaine Richard Whitbourne of Exmouth, in the County of Deuon, and published by Authority. *Imprinted at London by Felix Kyngston, for William Barret.* 1620. 4to, pp. (18), 69, (4).

Copies : (1) Lenox Library, New York, N. Y. ; (2) Lenox Library ; (3) John Carter Brown Library, Providence, R. I. ; (4) Yale College, New Haven, Conn. ; (5) British Museum, 278, c. 31 (1) ; (6) Do. 1196, b. 43 ; (7) Charles Deane, LL.D., Cambridge, Mass.

JOHN MASON.

A Briefe Discourse of the Nevv-found-land, with the situation, temperature, and commodities thereof, inciting our Nation to goe forward in that hopefull plantation begunne. . . . *Edinburgh, Printed by Andro Hart.* 1620. 4to, 7 leaves. Title, 1 leaf ; dedication to Sir Iohn Scott, 1 leaf ; Text, 5 leaves.

Copies : (1) British Museum, G. 7112 ; (2) Advocates' Library, Edinburgh.

Reprinted by the Bannatyne Club — with a map.

CAPT. EDWARD WYNNE.

A Letter . . . to . . . Sir G. Calvert, . . . his Majesties Principall Secretary : from Feryland in Newfoundland, the 26. of August. 1621. [*London ?* 1621.] 8vo.

Copies : (1) British Museum, 1196, b. 5.

CAPT. RICHARD WHITBOURNE.

CAPT. RICHARD WHITBOURNE.

A Discovrse and Discovery of Nevv-found-land, with many reafons to prooue how worthy and beneficiall a Plantation may there be made, after a far better manner than now it is. Together with the laying open of certaine enormities and abufes committed by fome that trade to that Countrey, and the meanes laid downe for reformation thereof. Written by Captaine Richard Whitbourne of Exmouth, in the County of Deuon, and published by Authority. As also, an Inuitation : and likewise certaine Letters fent from that Countrey ; which are printed in the latter part of this Booke. *Imprinted at London by Felix Kingfton.* 1622. 4to, pp. (22), 107, (5), 15. A in three, and B - T in fours.

Copies : (1) Lenox Library ; (2) Britifh Mufeum, G. 2907 ; (3) Harvard College Library, Cambridge, Mafs., 4344, 23 ; (4) S. L. M. Barlow, New York, N. Y. ; (5) Maffachufetts Historical Society, Bofton, Mafs. The laft is perhaps an earlier iffue. It has pp. (22) 101, (4) 15. In the first paged portion, p. 69 has on the reverfe p. 100, thus omitting 30 pages.

CAPT. RICHARD WHITBOURNE.

A Discovrfe Containing a Loving Invitation both Honourable and profitable to all fuch as fhall be Aduenturers, either in perfon, or purfe, for the aduancement of his Maiefties moft hopefull Plantation in the Nevv-fovnd-land, lately vndertaken. Written by Captaine Richard Whitbovrne of Exmouth, in the County of Deuon. *Imprinted at London by Felix Kyngfton, dwelling in Pater-nofter-Row.* 1622. 4to, pp. (8), 46.

Copies : (1) Lenox Library ; (2) Do. ; (3) Do. ; (4) Library of Congress, Washington, D. C. ; (5) John Carter Brown Library ; (6) Britifh Mufeum, 278, c. 31 (2) ; (7) Do. 1196, b. 41, 42 ; (8) Charles Deane, LL.D. (15 pp. at end).

CAPT. EDWARD WYNNE.

A Letter from Captaine Edward Wynne, Gouvernour of the Colony at Ferryland, within the Prouince of Aualon, in Newfoundland,

vnto the Right Honorable Sir George Calvert Knight, his Ma-
iesties Principall Secretary. Iuly 1622 [*London*, 1622]. 4to,
pp. 18. A – B in fours and C in one.

Copies: (1) Lenox Library; (2) British Museum 278, c. 31 (2).

There are two other editions of this, one appended to the Whit-
bourne of 1622 (pp. 1–15, fig. S–T in fours), and the other to the
Whitbourne of 1623 (twelve unnumbered pages, fig. Q in four
and R in two).

CAPT. RICHARD WHITBOURNE.

Westward Hoe for Avalon In the New-found-land. As described
by Captain R. Whitbourne, of Exmouth, Devon, 1622. Edited
and illustrated by T. Whitburn. *London*. 1870. 12mo.

Selected and abridged from the edition of 1622.

CAPT. RICHARD WHITBOURNE.

A Discovrse and Discovery of nev-v-foynd-land, with many reasons
to prooue how worthy and beneficial Plantation may there be
made, after a better manner than it was. Together with the
laying open of certain enormities and abuses committed by some
that trade to that Countrey, and the meanes laid downe for re-
formation thereof. Written by Captaine Richard Whitbourne
of Exmouth, in the County of Deuon, and published by Author-
ity. As also a louing Inuitation and likewise the copies of cer-
taine Letters sent from that Countrey; which are printed in the
latter part of this Booke. *Imprinted at London by Felix Kingston*.
1623. 4to, pp. (18), 97, (4), 15.

Copies: (1) Lenox Library; (2) Boston Athenæum, Boston, Mss.
(both with Wynne in twelve pages); (3) Lenox Library; (4)
British Museum, 982, a. 28; (5) Do. 798, d. 19; (6) Public
Library, Boston, Mss.; (7) Watkinson Library, Hartford, Conn.
(with Wynne in fifteen pages).

There is another variety or edition of 1623 in which Wynne's
Letters at the end are complete in twelve unnumbered pages
instead of fifteen numbered pages.

A Short Discoverie of the New-Fovnd-Land : Contaynig [*sic*] Diverſe Reaſons and inducements, for the planting of that Countrey. Publiſhed for the ſatiſfaction of all ſuch as ſhall be willing to be Adventurers in the ſaid Plantation. *Dublin, Printed by the Societie of Stationers.* M.DC.XXIII. 4to, 15 leaves, the laſt one blank. A in three, and B - D in fours.

The dedication is ſigned "T. C."

Copies: (1) Britiſh Muſcum, 1196, b. 39; (2) John Carter Brown Library; (3) Lenox Library.

RICHARD EBURNE.

A Plaine Path-way to Plantations : That is, a Diſcourſe in generall, concerning the Plantation of our Engliſh people in other Countreies. Wherein is declared, That the Attempts or Actions, in themſelves are very good and laudable, neceſſary alſo for our Countrey of England. Doubts thereabouts are answered; and ſome meanes are ſhewed, by which the ſame may, in better ſort then hitherto, be proſecuted and effected. Written for the perſwading and ſtirring vp of the people of this Land, chiefly the poorer and common ſort to affect and effect theſe Attempts better then yet they doe. With certaine motiues for a preſent Plantation in New-foundland aboue the reſt. . . . By Richard Eburne of Hengſtridge in the Countie of Somerſet. [*London:*] *Printed by G. P. for John Marriot.* 1624. 4to, pp. (18), 120.

Copies: (1) John Carter Brown Library; (2) John Holmes, Cambridge, Maſs.; (3) Public Library, Quincy, Maſs.; (4) S. L. M. Barlow, New York, N. Y. (Imperfect at end).

[SIR WILLIAM VAUGHAN].

Cambrenſivm Caroleia. Qvibvs Nuptię Regales celebrantur, Memoria Regis Pacifici renouatur, & Pręcepta neceſſaria ad Rempublicam noſtram foeliciter adminiſtrandam intexuntur: reportata A Colchide Cambriola ex Auſtraliſſima Novae Terrae Plaga, Opera & ſtudio Orphei Iunioris. *Londini. Excudebat Gulielmus*

Gulielmus Stansbeius. 1625. 8vo, 56 leaves. A in four, B–G in eights, and H in four. Map of Newfoundland.

In verse. Dedicated to King Charles. The map was prepared by Capt. John Mafon. It differs slightly from the one in "The Golden Fleece."

Copies : (1) British Museum, G. 17451.

[SIR WILLIAM VAUGHAN].

The Golden Fleece Diuided into three Parts, Vnder which are discovered the Errours of Religion, the Vices and Decayes of the Kingdome, and lastly the wayes to get wealth, and to restore Trading so much complayned of. Transported from Cambrioll Colchos, out of the Souther-moſt Part of the Iland, commonly called the Newfovdndland, By Orpheus Iunior, For the generall and perpetuall Good of Great Britaine. *London, Printed for Francis Williams, and are to bee sold at his Shop at the ſigne of the Globe, ouer againſt the Royall Exchange.* 1626. 4to, pp. (28), 149, 105, 96. Map of Newfoundland.

In verse and prose. The map was prepared by Capt. John Mafon. It differs slightly from the one in the "Cambrenſivm Caroleia."

Copies : (1) John Carter Brown Library ; (2) Watkinson Library ; (3) British Museum ; (4) Lenox Library ; (5) S. L. M. Barlow ; (6) Massachusetts Historical Society.

ROBERT HAYMAN.

Qvodlibets, lately come over from New Britaniola, Old Newfovdnd-land. Epigrams and other ſmall parcels, both Morall and Diuine. The firſt foure Bookes being the Authors owne : the reſt tranſlated out of that Excellent Epigrammatist, Mr: Iohn Owen, and other rare Authors : With two Epistles of that excellently wittie Doctor, Francis Rablais : Tranſlated out of his French at large. All of them Compoſed and done at Harbor-Grace in Britaniola, anciently called Newfoundland. By R. H. Sometime Gouvernour of the Plantation there. *London. Printed by*

by Elizabeth All-de, for Roger Michell, dwelling in Pauls Church-yard, at the signe of the Bulls-head. 1628. 4° pp. (8), 64, (6), 58.

Copies : (1) British Museum, C. 34, f. 15 ; (2) Do., G. 11466 (first part only) ; (3) Bodleian Library, Oxford, Eng. ; (4) Charles H. Kalbfleisch ; (5) John Carter Brown Library ; (6) Boston Athenæum ; (7) Library of Congress ; (8) Lenox Library ; (9) Huth Library.

SIR WILLIAM VAUGHAN.

The Newlanders Cure Aswell of those violent sicknesses which distemper most Minds in these latter Dayes : As also by a Cheape and Newfound Dyet, to preferue the Body sound and free from all Diseases, vntill the last date of Life, through extreimity of Age. Wherein are inserted generall and speciall Remedies against the Scurvy, Coughes, Feauers, Goute, Collicke, Sea-sicknesses and other grievous Infirmities. Published for the Weale of Great Brittain, By Sir William Vaughan, Knight. *Imprinted at London by N. O. for F. Constable, and are to be sold at his Shop in Pauls Church, at the signe of the Craine. 1630. 12mo, pp. (16), 143. A - K in eights.*

Copies : (1) John Carter Brown Library ; (2) British Museum, 1038, e. 5 (3) ; (3) Rev. T. Corser ; (4) Harvard College Library.

A Commiſſion for the well gouerning of Our people, inhabiting in New-found-land ; Or, Traffiquing in Bayes, Creekes, or fresh Riuers there. . . . *Imprinted at London by Robert Barker, . . . and by the Assignes of Iohn Bill. M.DC.XXXIII. 4to, A - C 3 in fours, title on A 2.*

Copies : (1) British Museum, 1196, b. 38 ; (2) Huth Library.

According to Lowndes, reprinted in the second volume of the Oxford collection of voyages and travels.

Remonstrance on behalf of the Merchants trading to Spain, East Indies, and Newfoundland. 1648. Folio.

Among

Among the manuscripts fold with the library of George Chalmers in 1842, were the following : —

- 1781 Newfoundland. Collection of Papers relating to Newfoundland and its Fishery, from an early Period. Folio.
 1782 Newfoundland. Papers relating to Newfoundland and the Fishery. Folio.
 1785 America. Papers relating to Georgia, Massachusetts and Newfoundland, 3 vol. Folio.²⁰⁰

²⁰⁰ The Hon. Mellen Chamberlain, LL.D., Librarian of the Boston Public Library, has sent other titles of works on Newfoundland previous to 1800, in that Library : —

Relation de Terre-Neuve, (Que les Anglois appellent New-Found-Land,) par White, qui y a été en 1700. traduite de l'Original Anglois. (*In* Recueil de voyages au Nord. Tome troisième. Nouvelle éd. A Amsterdam, chez Jean Frédéric Bernard. M,DCC,XXXII, pp. 357-396. Map. 16°.

John Reeves. History of the government of the Island of Newfoundland. With an appendix; containing the Acts of Parliament made respecting the trade and fishery. By John Reeves, Esq. Chief Justice of the Island. London: Printed for J. Sewell, Cornhill; J. Debrett, Piccadilly; and J. Downes, N° 240, Strand. 1793 (8) 167, (iv) cxvi pp. 8°.

Voyage fait par ordre du roi en 1750 et 1751, dans l'Amérique septentrionale, pour rectifier les cartes des côtes de l'Acadie, de l'Isle Royale & de l'Isle de Terre Neuve; et pour en fixer les principaux points par des observations astronomiques. Par M. de Chabert enseigne des vaisseaux du Roi. A Paris, de l'imprimerie royale. M.DCCLIII. viii, 288 (10) pp. 3 folded plates. 4°.

An account of the island of Newfoundland, with the nature of its trade, and method of carrying on the fishery. With reasons for the great decrease of that most valuable branch of trade. By Capt. Griffith Williams, of the royal regiment of artillery, who resided in the island fourteen years when a lieutenant, and now has a command there. To which is annexed, a plan to exclude the French from that Trade. Proposed to the administration in the year 1761, by Capt. Cole. Printed for Capt. Thomas Cole. [Rest of imprint trimmed away, date is 1765]. 35 pp. sm. 8°.

Edward Chappell, *Lieut. R. N.* Voyage of his Majesty's ship Rosamond to Newfoundland and the southern coast of Labrador of which countries no account has been published by any British traveller since the reign of queen Elizabeth. London: printed for J. Mawman, Ludgate Street: by R. Watts, Crown Court, Temple Bar. 1818. (x) xix, 270 pp. illus. Map. 8°.

John Byron, *admiral*, 1722-1786. [Transcripts of official orders and letters issued by John Byron while governor and commander-in-chief of Newfoundland, the coast of Labrador, &c., from 1769-1771.] 268 pp. Manuscript. F°.

[Sailing directions for the coast of Newfoundland, Labrador, and the gulf and

and river of St. Lawrence. London :
R. Sayer and J. Bennett. 1779?] 4°. The North American pilot for Newfoundland, Labradore, the Gulf and River St. Lawrence : being a collection of sixty accurate charts and plans, drawn from original surveys : taken by James Cook and Michael Lane, surveyors, and Joseph Gilbert, and other

officers in the king's service. Published by permission of the Right Hon. the Lords commissioners of the Admiralty : chiefly engraved by the late Thomas Jefferys, Geographer to the King. On thirty-six large copper-plates. London, printed and sold by R. Sayer and J. Bennett, No. 53, in Fleet street. MDCCLXXIX. F°.





THE CHARTERS

OF

CAPTAIN JOHN MASON.



HERE were three charters granted to Capt. Mason solely, and three to him associated with others. Those to him solely were Mariana, March 9, 1621-2; New Hampshire, November 7, 1629, and New Hampshire and Masonia, April 22, 1635. Those in association with others were the Province of Maine, April 10, 1622, to Sir Ferdinando Gorges and himself, and Laconia, November 17, 1629, likewise to Sir Ferdinando Gorges⁸⁰⁰ and himself; and Pescataway, November 3, 1631, to Sir Ferdinando Gorges, Mason, and seven others. These six charters are printed in the following pages in their chronological order.

I. GRANT

⁸⁰⁰ A monograph on Sir Ferdinando Gorges, and his connection with New England Colonization, including his tract entitled "A Brief Narration," the American Charters granted to him, let-

ters and other papers, with historical illustrations, and a memoir by James P. Baxter, A. M., is in preparation, and will appear as one of the "Publications of the Prince Society."

I. GRANT OF MARIANA.

MARCH 9, 1621-2.

A Grant of Cape Anne in New England from the President & Council of New England to Iohn Mason Esq^r.

THIS INDENTURE made y^e ninth day of March in y^e 19th yeare of the Reigne of Our Sovereigne Lorde James by y^e Grace of God King of England, Scotland, ffiance & Ireland. Defender of the ffaith. Betweene y^e president & Councell of New England of the one parte and Iohn Mason Gent. and inhabitant of the Citty of London of y^e other parte.³⁰¹ Witnesseeth that whereas Our said Sovereigne Lord King

³⁰¹ This grant was copied for Mr. Tuttle from the British Public Record Office, *Colonial Entry Book*, Vol. LIX. pp. 93-100.

Edmond Sheffield, Baron Sheffield, afterwards Earl of Mulgrave, one of the Patentees of the New England Company, on the 1st of January, 1623-4, by indenture conveyed to "Robert Cushman and Edward Winslow, for themselves and their Associates and Planters, at Plymouth in New England," a portion of the territory in this Mariana grant. This was nearly two years after the date of Mason's patent. The tract conveyed by Lord Sheffield is described as "a certaine Tract of Ground in New England aforesaid lying in Forty-three Degrees of Northerly latitude and in a knowne place comonly called Cape Anne, Together with the free vse and benefitt as well of the Bay comonly called the Bay of Cape Anne, as also of the Islands within the said Bay." No bounds of the territory are given. The grantees were entitled to take five hundred acres for public uses adjoining the Bay, and thirty acres each for such individuals, young and old, as should, within seven

years, "come and dwell at the aforesaid Cape Anne." The territory was to be taken together "in one entire place." The consideration was an annual rent of twelve pence for every thirty acres. Lord Sheffield, I presume, rested his right to make this conveyance on the fact that he drew a lot at the division of their territory among the patentees by the Council for New England on Sunday, June 29, 1623. *Vide* Council Record in *Proceedings of the American Antiquarian Society*, April, 1867, p. 96. It seems, however, from the record of the Council, February 3, 1634-5, that this division never was confirmed. *Vide ibid.*, p. 115. The lot drawn was No. 12. The only evidence of the location of these lots is Sir William Alexander's map of 1624, and on this map Lord Sheffield's lot is located in the present State of Maine. *Vide* this map in *Sir William Alexander and American Colonization*, by the Rev. Edmund F. Slafter, Prince Society, p. 216. It is probable that Sheffield, when he signed the above lease, was not acquainted with the geography of New England. William Hubbard, in his *History of New England*,

King James for y^e making a plantacon & establiſhing a Colony or Colonies in the Country called or knowne by the name of New England in America hath by his Highneſs Letters Patents vnder the Great Seale of England bearing Date at Weſtminſter the 3^d day of Novemb^r given granted & confirmed unto the R^t Hon^{ble} Lodwick Lord Duke of Lenox, George Marquiſs of Buckingham, James Lord Marquiſs Hamilton, Thomas Earle of Arundell, Robert Earle of Warwick, S^t Ferdinando Gorges Knight & divers others whoſe names are expreſſed in the ſaid Letters Pattents their Succeſſo^r and Aſſignes that they ſhall be one body politicque and Corporate perpetuall, and that they ſhould have perpetuall Succeſſion, and one Common Seale or Seales to ſerve for y^e ſaid Body, and that they & their Succeſſo^r ſhalbee knowne called and incorporated by the name of the Preſident and Councill eſtabliſhed at Plymouth in the County of Devon for y^e Planting Ruling & Governing New England in America. and alſoe hath of his eſpeciall Grace certaine knowledge meer motion for him his Heirs & Succeſſors given granted & Confirmed unto the ſaid Preſident & Councill & their Succeſſo^r under the Reſervacons limitacons & Declaracons in the ſaid Letters Pattents expreſſed. All that parte & porcon of the ſaid Country now comonly called New England which is Scituate lying & being betwixt the Latitude of 40 Degr. & 48 of Northerly Latitude togeather wth the Seas & Iſlands lying wthin one hundred Miles of any parte of the ſaid Coaſt of the Country aforeſaid. And alſoe all y^e Lands Grounds, Soyle havens Ports Rivers Mines as well Royall Mines of Gold & Silver as others Mines Mineralls pearles and Pretious Stones woods quarreys Marſhes Waters

England, Vol. I. p 110, calls this a "uſeleſs Patent," meaning probably that Lord Sheffield had no right to convey the territory, and therefore, as the grantees could not legally hold the property, they really derived no benefit from it. The people of the colony of New Plymouth occupied territory at Cape Anne, however, though they do not appear to have enjoyed its excluſive

uſe. This conveyance is made the ſubject of a valuable historical monograph by John Wingate Thornton, A.M., under the title of *The Landing at Cape Anne*. It contains much important information relative to the early hiſtory of Maſſachuſetts Bay. A facſimile of the indenture accompanies the volume, and adds intereſt to the publication.

Waters fishing hunting hawking fowling Commodities & Hereditam^{ts} whatsoever together wth all the prerogatives Jurisdictions Royalties privileges franchises and preeminences wthin any of y^e said Territories and y^e precincts thereof whatsoever To have hold possess & enjoy all & Singler y^e said Lands & premises in y^e said Letters patents Granted or mentioned to be granted unto them the said President & Councill their Successors and Assignes. To be holden of his ma^{ty} his Heirs and Successors as of his Highness Mannor of East Greenwich in y^e County of Kent in free & Common Soccage and not in Capite or by Knights Service Yielding & paying to y^e Kings Ma^{ty} his heires and Successors the one fifth part of all the Oare of Gold & Silver that from time to time and att all times from the Date of the said Letters Patents shall be there gotten had or obteyned for all Services Dutyes or Demands as in & by his Highness said Letters Patents amongst divers other things therein conteyned more fully & at large it doth & may appeare. And whereas the said President and Councill have vpon Mature Deliberation thought fitt for y^e better furnishing and furtherance of the Plantations in those parts to appropriate and allot to severall and particuler persons diverse parcells of Lands wthin the precincts of the aforesaid granted premises by his ma^{ty} said Letters Patents, Now this Indenture further witnesseth that y^e said President and Councill of their full free and Mutuall consent as well to y^e end that all the Lands woods, waters, Islands & fishings wth all other the profits and Commodities whatsoever to them or any of them and hereafter in These presents mentioned may be wholly & intirely invested appropriated Severed and Settled in & vpon the said Iohn Mason his heirs and assignes for Euar, as for divers speciall services for y^e advancement of y^e said Plantation & other Good causes & considerations them especially thereunto moveing have given granted bargained sold assigned aliened Enfeoffed Sett over & confirmed. And by these presents doe give grant bargain sell assigne alien Enfeoffed sett over & confirme unto y^e said Iohn Mason his heirs and assignes. All that part of the Sea Coast of New England being a great headland or Cape & lying in y^e Northernmost parts of the
Maffachusetts

Maffachusetts Country & to y^e Northeastwards of the Great River of the Maffachusetts stretching it self out into y^e Sea Eastwards five Leagues or thereabouts and lying betwixt y^e Lat of 42 & 43 Degr. or thereabouts, & comonly called or knowne by the Names of Cape Trabigzand or Cape Anne wth the North South & East Shoares & Coasts thereof the back bounds thereof towards the maine Land to begin at the head of the next Great River to the Southwards of the said Cape w^{ch} runns vpward into the Country of the Main Land westward and supposed to be called Naumkeck or by what other name or names the said River is or may be called & soe forth Eastwards into y^e Sea & to y^e uttermost part of y^e said headland or Cape & round about the same to y^e Northwards and from thence along the Sea Coast to the Next Great River w^{ch} runns vp into the Maine Land Westwards & Supposed to be called Merimack or by what other Name or Names the said River is or may be called & lying to the Northwestwards of the said Cape & to the farthest head of the said river from w^{ch} period to Crossover land to y^e head of the other Great River w^{ch} lyes Southwards of y^e aforesaid Cape where the perambulation began & halfe way over that is to say to y^e midst of either of y^e said two Rivers w^{ch} bounds or limits the aforesaid lands both on y^e North & South thereof together wth the Great Isle or Island henceforth to be called Isle Mason lying neere or before the Bay Harbor or y^e river of Aggawom together alsoe wth all the Seas, Isles or Islands adjoyning to any part of y^e precincts of the Lands aforesaid or lying wthin 3 Miles of any parte of y^e same, as alsoe all y^e Lands Soyle Grounds havens Ports Rivers Mines Mineralls pearls & pretious Stones woods quarreys marshes Waters Lakes fishings hunting hawking fflowing Comodities & hereditam^u whatsoever wth all & Singler their appurtenances together wth all prerogatives rights royalties jurisdictions priviledges franchises p^rheminences libertyes Marine power as alsoe y^e Escheats and casualties thereof, wth all y^e State right title interest claime & demand whatsoever w^{ch} the said president & Councill & their Successor^u of right ought to have or claime in or to the said porcions of land & other y^e premises as is aforesaid by
reason

reason or force of his Highness said Letters Pattents in as free large ample & beneficiall Manner to all intents construõns & purposes whatsoever as in & by y^e said letters Patents the same are amongst other things granted to y^e said president & Councill afore said Except two ffifths of the Oare of Gold & Silver these presents hereafter expressed wth said Porõns of Lands wth the appurtenõces the 1st Jhohn Mason with the consent of the President and Councill intendeth to name Mariana.

To have and to hold all y^e said porõns of land wth y^e Great Island henceforth to be called Isle Mason & all other Islands adjacent & wthin three Miles thereof and all & Singuler other y^e premises hereby Given granted aliened enfeoffed & confirmed or menõned or intended by these presents to be given granted Aliened wth all & Singler y^e appurtences & every part & parcell thereof vnto y^e said Iohn Mason his heyres & Assignes for ever, To be holden of his said Ma^{ty} his heyres & Successo^r as of his Highness Mano^r of East Greenwich in the County of Kent in ffree and Common Soccage & not in Capite or by Kn^{ts} Service Nevertheless wth such exceptions reservaõns, limitaõns & Declaraõns as in the said Letters Pattents are Expressed, Yeelding and paying vnto Our said Sovereigne Lord the King his heirs and Successo^r the one fifth part of all y^e Oare of Gold and Silver that from time to time & at all times hereafter shall bee there gotten had and obteyned for all Services Dutyys and Demands, And also yelding & paying unto the said President and Cuncell & their Successo^r Yearly the sum of ffive shillings English Money or the value thereof in fish or other Comodityes of the Country if it be demanded.

And the said President & Cuncell for them and their Successo^r doe Covenant & Grant to & wth y^e said John Mason his heires and assignes from and after thensealing & delivery of these P^{ts}. according to the purporte true intent & meaning of these p^{ts} that he shall & may from henceforth & from time to time for ever peaceably quietly have hold possels & enjoy all the afore said porõns of Land wth all other the Islands & premises wth the appurtences hereby before given & granted

granted or menõdned meant or intended to be hereby given & granted & every part & parcell thereof without any lett disturbance or denyall trouble interrupõn or evicõn of or by the said president & Councill or any person or persons whatsoever claiming by from or vnder them or their Successo^r or by or vnder their State right Title or interest, And the said President & Councill for them & their Successo^r doe Covenant & Grant to & wth the said John Mason his heirs and assignes by these pñts that they the said President & Councill shall at all times hereafter upon reasonable request at y^e only proper Cost & charges in the Law of the said John Mason his heyres and assignes doe make performe suffer execute & willingly consent unto any further Act or Acts conveyance or conueyances assurance or assurances whatsoever for the good & perfect investing assuring & conveying & Sure makeing of all the aforesaid porõns of Land & Islands and all & Singler the Appurtenñces to y^e said John Mason his heyres & assignes as by him his heyres & assignes or by his or their Councill Learned in the Law shall be devised advised or required. And it is further agreed by & between the said parties to these presents, And the said John Mason for him his heyres Executo^r & Administ^r doth Covenant to & with the said President & Councill & their Successors by these Presents that if at any time hereafter there shall be found any Oare of Gold or Silver wthin the Grownds or in any part of the said premises that then the s^d John Mason his heyres & Assignes shall yeeld & pay unto y^e said president & Councill their Successo^r and Assignes one fifth part of all such Oare of Gold & Silver as shall be found in & vpon the premises. And the said John Mason doth farther covenant for him his heyres & Assignes that he will establish such a Governm^t in y^e said Porcons of Lands granted vnto him & the same will from time to time continue as shall be agreeable as neere as conveniently may bee to the Laws and Customes of the Realme of England, and if he shall be charged at any time to have neglected his Duty therein that then he will reforme the same according to the Directions of the President & Councill. And further that if y^e said John Mason his heyres or assignes shall

shall at any time hereafter alien these premises or any part thereof to any fforreigne Nations or to any person whatsoever of any fforreigne Nation without the Speciall Lycence consent and agreemt: of the said President & Councell their Successo^r & Assignes that then the parte or parts of the said lands soe aliened shall imediatly returne back againe to the vse of the said President and Councill And further know yee that the said President & Councell have made constituted deputed authorished & appointed & in their place & stead doe put Ambrose Gibbins⁸⁰² or in his Absence to any other person that shall be their Governo^r or other Offic^r to the President & Councill to be their true & Lawfull Attorney & in their name & stead to enter the s^d portions of Lands & other premises wth their appurtenances or into some part thereof in the Name of the whole for them & in their Name to have & take possession & Seizing thereof & after such possession & Seizin thereof or of some parte thereof in y^e Name of the whole soe had & taken then for them & in their Names to deliver the full & peaceable possession & Seizin of all & Singuler the said granted premises unto the said John Mafon or to his certaine attorney or Attorneys in that behalfe according to the true intent & meaning of these presents ratifying allowing & Confirming all and whatsoever their said Attorney shall do in or about y^e premises by these p^{re}sents. In wittnesse whereof to one parte of these present Indentures remaining wth y^e said John Mafon the said President & Councell have put their Common Seale & to

⁸⁰² It is evident from the fact that Ambrose Gibbons is empowered by this patent to give possession of the province of Mariana to Mafon that, in March, 1621-2, Gibbons intended soon to come to New England, if he was not then already here. How much truth there is in the statement relative to him in "The Title of Robert Mafon," as revised about 1677, I cannot tell. It is probable that, as there represented, Gibbons came to New England in 1622; and it is possible that he built houses at Cape Anne, set up the trade of fishery upon the coast,

and resided here till after the Massachusetts charter was obtained; and that under authority of that charter the servants and tenants of Mafon were ejected. We need more evidence, however, before we accept these statements as authentic history. But Gibbons could not have remained in New England, as there stated, till 1630, for he was in England in the spring of that year, and on the 27th of March failed from the Downs in the *Warwick* for the Pacificaqua, as already stated. *Vide ante*, p. 57.

to y^e other part thereof remaining wth y^e said P^rident & Councell he the said John Mason have put his hand & Seale, Given the Day & Yeare first above Written.

II. GRANT OF THE PROVINCE OF MAINE.

AUGUST 10, 1622.

A Grant of the Province of Maine to S^r Ferdinando Gorges, and John Mason, Esq^r. 10th of August, 1622.

THIS INDENTURE made the 10th day of August Anno Dom: 1622, & in the 20th yeare of the Reigne of our Sovereigne Lord James by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith, &c^a. Betweene the President & Councell of New England on y^e one part, and S^r Ferdinando Gorges of London, Knight and Captaine John Mason of London Esquire on y^e other part Wittneffeth⁸⁰⁸ that whereas our said Sovereigne Lord King James for the makeing a Plantacon & establisshing a Colony or Colonyes in y^e country called or knowne by y^e name of New England in America hath by his Highnes Letters Patents under the Great Seale of England bearing date at Westm^r: the 3^d day of Novembe^r. in the 18th yeare of his Reigne given granted and confirmed vnto the Right Honorable Lodowick Duke of Lenox George Marquiss of Buckingham, James Marquiss Hamilton, Thomas Earle of Arundell, Robert Earle of Warwick, S^r Ferdinando Gorges Kn^t. and diverse others whose names are expresse in y^e said Letters Patents, their succeffors and assignes that they shalbe one Body Politique and Corporate perpetuall

⁸⁰⁸ This grant, recorded in the *Colonial Entry Book*, No. LIX. pp. 101-108, is reprinted from *A Vindication of the Claims of Sir Ferdinando Gorges*,

by John A. Poor, published at New York in 1862. It will be found in the Appendix to that volume, pp. 121-123.

uall and that they should have perpetuall Succession & one Comon Seale or Seales to serue for the said Body and that they and their Successors shalbe knowne called and incorporated by the name of the President & Councill established at Plymouth in the County of Devon for the planting ruling and governing of New England in America. And also hath of his especiall grace certaine knowledge and meer motion for him his heyres and successo^r: & given granted and confirmed vnto the said President and Councill and their successo^r under the reseruacons, limitacons and declaracons in the said Letters Patents expressed. All that part or porcon of that country now comonly called New England w^{ch} is situate lying and being between the Latitude of 40 and 48 Degrees northerly Latitude together wth the Seas and Islands lying wthin one hundred miles of any part of the said Coasts of the Country aforefaid and also all y^e Lands, Soyle, grounds, havens, ports, rivers, mines as well Royal mines of Gold and Silver as other mines minerals pearls and pretious stones woods, quaryes, marshes, waters fishings hunting, hawking fowling comodities and hereditaments whatsoever together wth all prerogatives iurisdic^tions royaltys privileges franchises and preheminences within any of the said Territoryes and precincts thereof whatsover, To have hold possesse and enjoy all and singular the said lands and premises in the said Letters Patent granted or menconed to bee granted unto y^e said President and Councill their Successo^r and assignes for ever to be holden of his Ma^y his heyres and successo^r as of his highnes Mano^r of East Greenwich in the County of Kent in free and common Soccage and not in capite or by Kn^{ts} service — Yeelding & paying to the King's Ma^{ty} his heyers and successo^r the one fifth part of all Gold and Silver oare that from time to time and att all times from the date of the said Letters Patents shall be there gotten had or obtayned for all services duties or demands as in & by his highnes said Letters Pattents amongst other divers things therein containd more fully and at large it doth appeare, And whereas the said President & Councill have upon mature deliberacon thought fitt for the better furnishing and furtherance of the Plantacon in those parts to
appropriate

appropriate and allott to severall and particuler persons diverse parcells of Lands within the precincts of the aforesaid granted p^remisses by his Ma^{ty} said Letters Patents. Now this Indenture witnesseth that y^e s^d President and Councill of their full free and mutuall consent as well to the end that all the Lands, woods, lakes, rivers, waters, Islands and fishings wth all other the Traffiques proffits & comodities whatsoever to them or any of them belonging and hereafter in these presents menconed may be wholly and intirely invested appropriated severed and settled in and upon y^e said S^r Ferdinando Gorges & Cap^t John Mason their heyres and assignes for ever as for diverse speciall services for the advancem^t of the s^d Plantacons and other good and sufficient causes and consideracons them especially thereunto moveing have given granted bargained sould assigned aliened sett over enfeoffed & confirmed — And by these presents doe give grant bargain sell assigne alien sett over and confirme unto y^e s^d S^r Ferdinando Gorges & Cap^t John Mason their heirs and assignes all that part of y^e maine land in New England lying vpon y^e Sea Coast betwixt y^e rivers of Merimack & Sagadahock and to y^e furthest heads of y^e said Rivers and soe forwards up into the land westward untill three-score miles be finished from y^e first entrance of the aforesaid rivers and half way over that is to say to the midst of the said two rivers wth bounds and limitts the lands aforesaid togeather wth all Islands & Isletts wth in five leagues distance of y^e premisses and abutting vpon y^e same or any part or parcell thereof. As also all the lands, soyle, grounds, havens, ports, rivers, mines, mineralls, pearls, pretious stones woods quarryes marshes waters fishings hunting hawking fowling and other comodities and hereditam^{ty} whatsoever wth all and singular their apurtenances together wth all prerogatives rights royalties jurisdictions privileges franchises libertyes preheminences marine power in and vpon y^e said seas and rivers as alsoe all escheats and casualties thereof as flotion jetson lagon wth anchorage and other such duties immunities sects isletts and apurtenances whatsoever wth all ye estate right title interest claime and demands whatsoever wth y^e said President and Councell and their succeffo^r of right ought to have or claime
in

in or to y^e said porcons of lands rivers and other y^e premisses as is
aforesaid by reason or force of his highnes said Letters Patents in as
free large ample and beneficiall maner to all intents constructions
and purposes whatsoever as in and by the said Letters Patents y^e same
are among other things granted to y^e said President and Councill
afores^d Except two fifts of y^e Oare of Gold and Silver in these pnts
hereafter expressed wth said porcons of lands wth y^e appurtenances the
said S^r Ferdinando Gorges and Capt. John Mason wth the consent of
y^e President & Councill intend to name y^e PROVINCE OF MAINE
To have and to hould all the said porcons of land, Islands rivers and
premises as aforesaid and all and singler other y^e comodityes and
hereditam^{ie} hereby given granted aliened enfeofed and confirmed or
menconed or intended by these presents to be given granted aliened
enfeofed and confirmed wth all and singuler y^e appurtenances and
every part and parcell thereof unto y^e said S^r Ferdinando Gorges and
Capt. John Mason their heyres and assignes for ever, To be holden of
his said Ma^{ty} his heyres and succe^{ss}o^r as of his Highnes Mano^r of
East Greenwich in y^e County of Kent in free and common Soccage
and not in capite or by Kn^{ts} service. Neverthelesse wth such excep-
tions reservacons limitacons and declaracons as in y^e said Letters
Patents are at large expressed yeelding & paying unto our Sovereigne
Lord the King his heyres & succe^{ss}o^r the fifth part of all y^e oare of
gold and silver that from time to time and att all times hereafter shall
be there gotten had and obtayned for all services duties and de-
mands. And alsoe yeelding and paying unto the said President and
Councill and their Succe^{ss}ors yerely the sum of Tenn shillings Eng-
lish money if it be demanded. And the said President and Councill
for them and their Succe^{ss}o^r doe covenant and grant to and wth the
said S^r Ferdinando Gorges and Capt. John Mason ther heires and
assignes from and after the enfealing and delivery of these presents
according to y^e purport true intent and meaning of these presents
that they shall from henceforth from time to time for ever peaceably
and quietly have hold possels and enjoye all y^e aforesaid Lands Islands
rivers and premises wth y^e appurtenances hereby before given and
granted

granted or menconed or intended to be hereby given and granted and every part & parcell thereof wth out any lett disturbance denyall trouble interrupcon or evicon of or by y^e said President and Councill or any person or persons whatsoever claiming by from or under them or their succeſſo^r or by or under their estate right title or Interest, And y^e said President and Councill for them and their Succeſſo^r doe further Covenant and grant to & wth y^e said S^r Ferdinando Gorges & Capt. John Maſon their heyres and aſſignes by theſe preſents that they y^e said President and Councill ſhall at all times hereafter vpon reaſonable requeſt at y^e only proper coſt and charges in the Law of y^e said S^r Ferdinando Gorges & Capt. John Maſon their heyres and aſſignes doe make performe ſuffer execute and willingly conſent unto any further a^ct or a^cts conveyance or conveyances aſſurance or aſſurances whatſoever for y^e good and perfect inveſting aſſuring and conveying and ſure making of all the aforeſaid porcons of Lands Iſlands rivers and all and ſinguler their appurtences to y^e said S^r Ferdinando Gorges and Capt. John Maſon their heyres and aſſignes as by them their heyres and aſſignes or by his their or any of their Councill learned in y^e Law ſhall bee deviſed adviſed or required. And further it is agreed by and between the ſaid partyes to theſe preſents and y^e said S^r Ferdinando Gorges and Captaine John Maſon for them their heyres executors adminiſtrators and aſſignes doe covenant to and wth y^e said President and Councill and their ſucceſſo^r by theſe preſents that if at any time hereafter there ſhall be found any oare of gold and ſilver within y^e ground in any part of y^e ſaid premiſes that then they y^e said S^r Ferdinando Gorges and Capt. John Maſon their heyres and aſſignes ſhall yield & pay vnto y^e said President and Councill their ſucceſſo^r and aſſignes one fifth part of all ſuch gold and ſilver oare as ſhall be found within and vpon y^e premiſes and digged and brought above ground to be delivered above ground & that always within reaſonable and convenient time if it be demanded after y^e finding getting and digging vp of ſuch oare as aforeſaid wth out fraud or covin and according to y^e true intent and meaning of theſe Preſents. And ye ^ſ S^r Ferdinando Gorges and Capt.
John Maſon

John Mafon doe further covenant for them their heyres and assignes that they will establiſh ſuch government in y^e f^r porcons of lands and Iſlands granted unto them and y^e ſame will from time to time continue as ſhall be agreeable as nere as may be to y^e Laws and Customs of y^e realme of England, and if they ſhall be charged at any time to have neglected their duty therein that then they will reforme the ſame according to y^e directions of the Preſident and Councill or in defaulte thereof it ſhall be lawfull for any of y^e agrieved inhabitants or planters being tennⁿ vpon y^e ſaid Lands to appeale to y^e Chief Courts of Juſtices of y^e Preſident and Councill. And y^e f^r S^r Ferdinando Gorges and Capt. John Maſon doe covenant and grant to and wth y^e ſaid Preſident and Councill their ſucceſſo^r & assignes by theſe preſents, that they y^e ſaid S^r Ferdinando Gorges and Capt. John Maſon ſhall and will before y^e expiracon of three years to be accompted from y^e day of y^e date hereof have in or vpon the ſaid porcons of lands or ſome p^t thereof one parte wth a competent guard and ten familyes at y^e leaſt of his Ma^y ſubjects reſident and being in and vpon y^e ſame premifes or in default thereof ſhall and will forfeite and looſe to the ſaid Preſident & Councill the ſum of one hundred pounds ſterling money and further that if y^e ſaid S^r Ferdinando Gorges and Capt. John Maſon their heires and assignes ſhall at any time hereafter alien theſe premifes or any part thereof to any forraigne nations or to any perſon or perſons of any forraigne nation without y^e ſpeciall licence conſent and agreement of y^e ſaid Preſident and Councill their ſucceſſo^r and assignes that then y^e part or parts of the ſaid lands ſo alienated ſhall immediately returne back againe to y^e uſe of y^e ſaid Preſident and Councill. And further know yee that y^e ſaid Preſident and Councill have made conſtituted deputed authorized and appointed and in their place & ſtead doe put Capt. Rob^t Gorges or in his abſence to any other perſon that ſhall be their Governo^r or other officer to be their true and lawfull attorney and in their name and ſtead to enter the ſaid porcons of Lands and other the premifes wth their appurtenances or into ſome part thereof in y^e name of y^e whole, for them and in their name to have and take poſſeſſion
and

and feizin thereof, or some part thereof in y^e name of y^e whole foe had and taken there for them and in their names to deliver the full and peaceable possession and feizin of all and singuler the said granted premises unto y^e said S^r Ferdinando Gorges and Capt. John Mason or to their certaine attorney or attorneys in that behalf according to y^e true intent and meaning of these presents, ratifying confirming all and allowing and whatsoever their said attorney shall doe in or about y^e premises by these presents. In Witnesse whereof to one parte of these present Indentures remaining in the hands of S^r Ferdinando Gorges and Captaine John Mason the said President and Council have caused their comon seale to be affixed and to the other of these present Indentures remaining in the custody of the said President and Council the said S^r Ferdinando Gorges & Capt. John Mason have put to their hands and seales. Given y^e day and yeare first above written.

III. GRANT OF NEW HAMPSHIRE.

NOVEMBER 7, 1629.

By the Council of New-England to Captain John Mason.

THIS INDENTURE, made the Seventh Day of November, Anno Domini One Thousand Six Hundred Twenty-Nine, and in the Fifth Year of the Reign of our Sovereign Lord, Charles, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. Between the President and Council of New-England, on the one Part, and Captain John Mason, of London, Esquire, on the other Party : ³⁰⁴ WITNESSETH, That whereas our late Sovereign Lord, of famous Memory, King James, for the making of a Plantation, and establishing of a Colony or Colonys, in the Country called
or

³⁰⁴ This grant is reprinted from the *Historical Collections*, by Ebenezer Hazard, Vol. I. (1792), pp. 289-293.

or known by the Name of New-England, in America, did by his Highness's Letters-patents, under the Great Seal of England, bearing Date at Westminster, the Third Day of November, in the Eighteenth Year of his Reign, Give and Grant and Confirm unto the Right Honourable Lodiwick, Duke of Lenox, George, Marquis of Buckingham, James, Marquis Hamilton, Thomas, Earl of Arundel, Robert, Earl of Warwick, Sir Ferdinando Gorges, Knight, and divers others, whose Names are expressed in the said Letters-patents, their Heirs and Assigns, that they shall be one Body Politick and Corporate perpetuall, and that they should have perpetuall Succession, and one Common Seal or Seals to serve for the said Body; and that they and their Successors shall be known, called, incorporated by the Name of the President and Council, established at Plimouth, for the planting, ruling, and governing of New-England, in America: And also did, of his especial Grace, certain Knowledge, and meer Motion, for Him, his Heirs and Successors, give, grant, and confirm unto the said President and Council, and their Successors, under the Reservations, Limitations, and Declarations, in the said Letters-patents expressed, all that Part and Portion of that Country, now commonly called New-England, which is situate, lying, and being between the Latitudes of Forty Degrees and Forty-Eight northerly Latitude; together with the Seas and Islands, lying within One Hundred Miles of any Part of the said Coast of the Country aforesaid; and also all the said Soyle, Ground, Havens, Ports, Rivers, Mines, as well Royal Mines of Gold and Silver as other Mines and Minerals, Pearls and Precious Stones, Woods, Quarries, Marshes, Waters, Fishings, Huntings, Hawkings, Fowlings, Commodities, and Hereditaments whatsoever; together with all Prerogatives, Jurisdictions, Royalties, Privileges, Franchises, and Preheminences within any of the said Territories and the Precincts thereof whatsoever: To have, hold, possess and enjoy, all and singular the said Lands and Premises in the said Letters-patents granted, or mentioned to be granted, unto them the said President and Council, their Successors and Assigns forever, to be holden of his Majesty, his Heirs and Successors,

cessors, as of his Highness's Manor of East-Greenwich, in the County of Kent, in free and common Soccage, and not in Capite, or by Knights Service ; yielding and paying to the King's Majesty, his Heirs and Successors, the one-fifth Part of all Gold and Silver Oare, that from time to time, and at all times from the Date of the said Letters-patents shall be thus gotten, had, or obtained, for all Services, Duties, or Demands, as in and by his Highness's said Letters-patents amongst divers other Things therein contained, more fully at large it doth and may appear. And whereas the said President and Council, have upon mature Deliberation thought fitt, for the better Furnishing and Furtherances of the Plantation in those Parts, to appropriate and allot to severall and particular Persons, diverse Parcels of Lands within the Precincts of the aforesaid granted Premises by his Majesty's said Letters-patents : NOW THIS INDENTURE WITNESSETH, That the said President and Council, of their free and mutual Consent, as well to the End, that all the Lands, Woods, Lakes, Rivers, Waters, Islands and Fishings, with all the Traffick, Profits, and Commodities whatsoever, to them or any of them belonging, and hereafter in these Presents mentioned, may be wholly and entirely invested, appropriated, served and settled, in and upon the said Captain John Mason, his Heires and Assigns forever, as for divers special Services for the Advancement of the said Plantation, and other good and sufficient Causes and Considerations them especially thereunto moving, have given, granted, bargained, sold, assigned, aliened, set over, enfeoffed, and confirmed, and by these presents, do give, grant, bargain, sell, assign, aliene, set over, enfeof, and confirm unto the said Captain John Mason, his Heires and Assigns, all that Part of the main Land in New-England, lying upon the Sea Coast, beginning from the middle Part of Merrimack River, and from thence to proceed northwards along the Sea Coast to Piscataqua River, and so forwards up within the said River, and to the furthest Head thereof, and from thence northwestwards, until three Score Miles be finished from the first Entrance of Piscataqua River, and also from Merrimack through the said River, and to the furthest Head thereof,

and so forwards up into the Lands westwards until three Score Miles be finished ; and from thence to cross over Land to the three Score Miles, and accompted from Piscataqua River, together with all Islands and Iflets within Five Leagues Distance of the Premisses, and abutting upon the same or any Part or Parcel thereof ; as also all Lands, Soyles, Grounds, Havens, Ports, Rivers, Mines, Minerals, Pearls, Precious Stones, Woods, Quarries, Marshes, Waters, Fishings, Huntings, Hawkings, Fowling, and other Commodities and Hereditaments whatsoever, with all and singular their Appurtenances ; together with all Prerogatives, Rights, Royalties, Jurisdictions, Privileges, Franchises, Liberties, Preheminences, Marine Power, in and upon the said Seas and Rivers ; as also all Escheats and Casualties thereof, as Flotfam, Jetson, Lagan, with Anchorage, and other such Duties, Immunities, Scotts Iflets, and Appurtenances whatsoever, with all the Estate, Right, Title, Interest, Claim, and Demand whatsoever, which the said President and Council, and their Successors, of Right ought to have or claim in or to the said Portions of Lands, Rivers, and other the Premisses as is aforesaid, by Reason or Force of his Highness's said Letters-patents, in as free, large, ample, and beneficial Manner, to all Intents, Constructions and Purposes whatsoever, as in and by the said Letters-patents the same are amongst other Things granted to the said President and Council aforesaid, except two-fifths of the Oar of Gold and Silver in these Presents hereafter expressed ; which said Portions of Lands with the Appurtenances, the said Captain John Mason, with the Consent of the President and Council, intends to name *New-Hampshire* : TO HAVE AND TO HOLD all the said Portions of Lands, Islands, Rivers and Premisses, and all and singular other the Commodities and Hereditaments hereby given, granted, aliened, enfeoffed, and confirmed, or mentioned, or intended by these Presents to be given, granted, aliened, enfeoffed, and confirmed, with all and singular the Appurtenances and every Part and Parcel thereof, unto the said Captain John Mason, his Heirs and Assigns forever, to be holden of his said Majesty, his Heirs and Successors, as of his Highness's Manor of East-Greenwich in the County of Kent, in free
and

and common Soccage, and not in Capite, or by Knights Service ; nevertheless with such Exceptions, Reservations, Limitations and Declarations, as in the said Letters-patents are at large expressed : YIELDING and paying unto our Sovereign Lord the King, his Heirs and Successors, the fifth Part of all the Oar of Gold and Silver, that from time to time, and at all times hereafter, shall be there gotten, had, and obtained, for all Services, Duties, and Demands ; and also yielding and paying unto the said President and Council, and their Successors yearly, the Sum of five Shillings, English Money, if it be demanded, and the said President and Council, for them and their Successors, do covenant and grant to and with the said Captain John Mason, his Heirs and Assigns, from and after the Sealing and Delivery of these Presents, according to the Purport, true Internt and Meaning of these Presents, that he shall from henceforth, from time to time forever, peaceably and quietly have, hold, possess, and enjoy, all the aforesaid Lands, Islands, Rivers and Premises, with the Appurtenances, hereby before given and granted, or mentioned or intended to be hereby given and granted, and every Part or Parcel thereof, without any Lett, Disturbance, Denial, Trouble, Interruption, or Eviction, of or by the said President and Council, or any Person or Persons whatsoever, claiming by, from, or under them, or their Successors, or by or under their Estate, Right, Title, or Interest. And the said President and Council, for them and their Successors, do further covenant and grant to and with the said Captain John Mason, his Heirs and Assigns, by these Presents, that they, the said President and Council, shall at all times hereafter, upon reasonable Request, at the only proper Cost and Charges in the Law, of the said Captain John Mason, his Heirs and Assigns, do make, perform, suffer, execute, and willingly consent unto any further Act or Acts, Conveyance or Conveyances, Assurance and Assurances whatsoever, for the good and perfect investing, assuring, conveying, and sure-making of all the aforesaid Portions of Lands, Islands, Rivers, and all and singular the Appurtenances, to the said Captain John Mason, his Heires and Assigns, as by him, his Heirs and Assigns, or by their, or any of their
Council

Council learned in the Law, shall be devised, advised, or required. And further it is agreed, by and between the said Parties to these Presents, and the said Captain John Mason, for him, his Heirs and Assigns, doth covenant to and with the said President and Council, and their Successors, by these Presents, that if at any Time hereafter there shall be found any Oar of Gold and Silver within the Ground, in any Part of the said Premises, that then he the said Captain John Mason, his Heirs and Assigns, shall yield and pay unto the said President and Council, their Successors and Assigns, one-fifth Part of all such Gold and Silver Oar as shall be found in and upon the Premises, and digged and brought above Ground, to be delivered above Ground, and that always within reasonable and convenient Time if it be demanded, after the finding, digging, and getting up of such Oar as aforesaid, without Fraud or Covin, and according to the true Intent and Meaning of these Presents. And the said Captain John Mason doth further covenant for him, his Heirs and Assigns, that he will establish such Government in the said portion of Lands and Islands granted unto him, and the same will from time to time continue, as shall be agreeable as near as may be to the Laws and Customs of the Realm of England ; and if he shall be charged at any Time to have neglected his duty therein, that then he will reform the same, according to the Discretion of the President and Council, or in Default thereof, it shall be lawful for any of the aggrieved Inhabitants or Planters, being Tenants upon the said Lands, to appeal to the chief Court of Justice of the said President and Council : And further, that if the said Captain John Mason, his Heirs and Assigns, shall at any Time hereafter aliene these Premises, or any Part, to any foreign Nations, or to any Person or Persons of any foreign Nation, without the especial Licence, Consent, and Agreement of the said President and Council, their Successors or Assigns, that then the Part or Parts of the said Lands so aliened, shall immediately return back again to the Use of the said President and Council : And further, know ye, that the said President and Council have made, constituted, deputed, authorized, and appointed, and in their stead and place do put Captain

tain Walter Neal, or in his Absence, any other Person who shall be their governor, or other Officer, to be their true and lawful Attorney, and in their Name and Stead, to enter the said Portion of Lands, and other the Premisses, with their Appurtenances, or into some Part thereof, in the Name of the whole, for them and in their Name, to have and take Possession and Seizin thereof, or of some Part thereof, in the Name of the whole so had and taken, then for them and in their Names, to deliver the full and peaceable Possession and Seisin of all and singular the said granted premisses, unto the said Captain John Mason, or to his certain Attorney or Attornies in that Behalf, according to the true Intent and Meaning of these Presents, ratifying, confirming, and allowing all and whatsoever the said Attorney shall do in and about the premisses by these presents. IN WITNESS whereof to one part of this present Indenture, remaining in the Hands of Captain John Mason, the said President and Council have caused their Common Seal to be affixed ; and to the other Part of these present Indentures remaining in the Custody of the said President and Council, the said Captain John Mason hath put to his Hand and Seal, given the Day and Year first above written.

A true Copy of the File in the Secretary's Office of New-Hampshire.

Attest.

EBEN. THOMPSON, *Secretary.*

IV. GRANT OF LACONIA.

NOVEMBER 17, 1629.

*The Grant of the Province of Laconia to S^r Ferdinando Gorges
& Capt John Mason, the 17th Nov. 1629.*

THIS INDENTURE made the seventeenth day of November Anno Domi : 1629 and in the fifth year of the Reign of our Sovereign Lord Charles by the grace of God King of England, Scotland, France & Ireland

Ireland Defender of the Faith &c ; Between the President and Council of New England in the one party & S^r Ferdinando Gorges of London Kn^t and Capt : John Mason of London Esq^r : on the other party⁸⁰⁶ — Witneffeth that whereas Our late Sovereign Lord of famous memory King James for the making a Plantation and establisshing of a Colony in the Country call'd or known by the name of New England in America did by his Highnesfes Letters patent under the great Seal of England bearing date at Westminster the third day of November in the Eighteenth Year of his Reign, give grant & confirm unto the Right Hon^{ble} Lodowick Duke of Lenox George Marquis of Buckingham James Lord Marquis of Hamilton Thomas Earl of Arundell Robert Earl of Warwick S^r Ferdinando Gorges Kn^t; and divers others whose names are express'd in the said Letters Patent their Heirs and assigns that they shall be one body politicque and corporate perpetual and that they should have perpetual Succession and one Common Seal or Seals to serve for the said body and that they and their Successors shall be known call'd & Incorporated by the Name of the president & Council established at Plym^o; for the planting ruling & Governing of New England in America and also did of his special grace certain Knowledge and mere motion for him his heirs & Successors give grant and confirm unto the said president & Council & their Successors under the reservation and limitations & declarations in the said Letters Patent express'd All that part & portion of that country now commonly call'd New England which is Situate lying and being between the latitude of Forty degrees & forty eight of Northerly Latitude together with the Seas & Islands lying within one hundred Miles of any part of the said coast of the Country aforesaid And also all the Lands Soil ground Havens Ports Rivers Mines as well Royal Mines of Gold & Silver and other Mines Minerals

⁸⁰⁶ This document is printed from a copy recorded in the *Massachusetts Archives*, Vol. III. pp. 140-148, and was transcribed by Mr. Tuttle September 12, 1871; and the proof has been carefully

compared with the copy in the Massachusetts Archives, and corrected by Mr. William B. Trask, the editor of *Suffolk Deeds*, of which three volumes have been printed by that county.

erals pearls and precious Stones Woods Quarrys Marshes Waters Fishing Hunting Hawking Fowling Commodityes & Hereditaments whatsoever together with all prerogatives Jurifdictions royalties privileges Franchises and Preheminences within any of the said Territories & Precincts thereof whatsoever. To have hold possesse and enjoy all and Singular the said Lands and premises in the said Letters patent granted or mentioned to be granted unto them the said president & Councill their Successors & Assigns for ever. To be holden of his Majesty his heirs & Successors as of his Highnesses mannor of East Greenwich in the County of Kent in free and Common Soccage and not in Capite or by Knights service Yealding and paying to his Majesty his Heirs & Successors the one fifth part of all Gold & Silver ore that from time to time and at all times from the date of the said Letters patent shall be there gotten had or Obtained for all services dutys or Demands as in and by his Highnesses said Letters patent amongst divers other things therein contained more full and at large it doth and may appear And whereas the said president & Councill have upon mature deliberation thought fit for the better furnishing & furtherance of the Plantation in those parts to appropriate & allot to Several and particular persons divers parcells of Lands within the precincts of the aforesaid granted premises by his Majestys said Letters patent. Now this Indenture Witnesseth that the said president & Councill of their full free and mutual consent as well to the end that all the Lands Woods Lakes loughs Rivers waters Islands & Fishings with all other the Trafficks profits and commodityes whatsoever to them or any of them belonging & hereafter in these patents mentioned may be wholly and entirely invested appropriated severed and settled in and upon the said S^r Ferdinando Gorges & Capt. John Mason their Heirs and assigns for ever as for divers especial services for the Advancement of the said Plantation and other good and sufficient causes and Considerations them especially thereunto moving have given granted bargain'd sold assign'd alienated sett over enfeofed & confirmed by these presents do give grant bargain sell assign alien sett over enfeofed and confirm unto the
said

saïd S^r Ferdinando Gorges & Capt. John Mafon their Heirs and Affigns and to their Associates and such as they shall allow of & take into adventure & joyn with them in their Plantations trafficks & Discoverys in the Parts hereafter expreff'd and their Heirs & affigns according to contracts with them to be made All those Lands & Countrys lying adjacent or bordering upon the great Lake or Lakes or Rivers commonly called or known by the Name of the River & Lake or Rivers & Lakes of the Irroquois a Nation or Nations of Savage people inhabiting up into the Landwards betwixt the lines of West and Northwest conceiv'd to pass or lead upwards from the Rivers of Sagadahok & Merrimack in the Country of New England aforesaid Together also with the Lakes and Rivers of the Irroquois and other Nations adjoining the middle part of which Lakes is situate & lying neer about the Latitude of Forty four or forty five degrees reckoned from the Equinoctial line Northwards as also all the Lands Soils & Grounds within ten Miles of any part of the said Lakes or Rivers on the South or East part thereof and from the West end or Sides of the said Lakes or Rivers so far forth to the West as shall extend half way into the next great Lake to the Westward and from thence Northwards unto the North side of the Main River which runeth from the great & vast Western Lakes & falleth into the River of of Canada including all the Islands within the precinct or preambulation described. As also all the Lands, Soil, Grounds, Havens Ports, Rivers, Mines Minerals Pearls & precious Stones Woods Quarrys, Marshes Waters Fishings Hunting Hawking Fowling Trade & Traffick with the Savages and other Commodities & Hereditaments whatsoever with all and Singular their appurtenances together with all prerogatives Rights Royalties jurisdictions privileges franchises preeminences Libertys Marine power in & upon the said Rivers & Lakes. As also all escheats and Casualties thereof as Flotson Jetson & Lagon with Anchorages & other such duties Immunities sects islets and appurtenances whatsoever with all the Estate right title Interest Claim & Demand whatsoever wth the said President & Councill & their Successors of Right ought to have or claim in or to the said portions of
Lands

Lands Rivers & Lakes and other the premises as is aforesaid by reason or force of his Highnesses said Letters patent in as free large ample & beneficial Manner to all intents constructions & purposes whatsoever as in & by the said Letters patent the same are amongst other things granted to the said president & Councill aforesaid Except two fifths of the ore of Gold & Silver in these parts hereafter express'd which said portions of Lands Rivers Lakes with the appurtenances the said S^r Ferdinando Gorges and Cap^t Jn^r Mason with the consent of the president & Councill intend to name the Province of Laconia. To have & to hold all the said portions of Land and all the Lakes & Islands therein contained as aforesaid and all & Singular other the premises hereby given granted aliened enfeoffed & confirmd or mentioned or intended by these presents to be given granted aliened enfeoffed and confirmed with all & Singular the appurtenances & every part & parcell thereof unto the said S^r Ferdinando Gorges & Cap^t John Mason their Heirs and Assigns & their associates contracts with them for ever. To be holden of his said Majesty his Heirs and successors as of his Highnesses Mannor of East Greenwich in the County of Kent in free & Common Soccage and not in Capite or by Knights service Nevertheless with such exceptions reservations Limitations & declarations as in the said Letters patent are at large express'd Yealding and paying into our Sovereign Lord the King his Heirs & Successors the fifth part of all the Ore of Gold & Silver that from time to time and at all times hereafter shall be there gotten & obtained for all services dutys & demands And also Yealding & paying unto the said president & Councill and their Successors yearly the sum of Ten Pounds of Lawfull Money of England at one intire paym^t within ten days after the feast of S^t Michael the Archangel Yearly. And the said president and Councill for them & their Successors do covenant and grant to & with the said S^r Ferdinando Gorges and Cap^t John Mason their Heirs & assigns and their Associates from & after their sealing & delivering of these presents according to the purport true intent and Meaning of these presents that they shall from henceforth from time to time for ever peaceably and quietly have hold

posels & enjoy all the aforefaid portions of Lands Lakes & Rivers with all the Islands and premifes with the appurtenances hereby before given & granted or mentioned or intended to be hereby given and granted & every Part & Parcell thereof without any Lett Disturbance denyal trouble interruption or eviction of or by the faid president & Councell or any person or persons whatsoever claiming by from or under them or their Successors or by or under their Estate right Title or interest And the faid president & Councell for them & their Successors do further covenant & grant to & with the faid S^r Ferdinando Gorges & Capt: John Mafon their Heirs & Assigns & their associates contractors as aforefaid by these presents. That they the faid president & Councell shall at all times hereafter upon reasonable request at the only proper costs and Charges in the Law of the faid S^r Ferdinando Gorges and Cap^t: John Mafon their Heirs & Assigns & their Associates do make perform suffer execute & willingly consent unto any further Act or Acts conveyance or conveyances Assurance or assurances whatsoever for the good & perfect investing assuring conveying & sure making of all the aforefaid portions of Land Lakes Islands & all & Singular their Appurtenances to the faid S^r Ferdinando Gorges & Capt. John Mafon their Heirs & Assigns & their Associates as by them their Heirs & assigns & their Associates or by his their or any of their Councell learned in the Law shall be devised advised or required And further it is agreed by & between the faid Partys to these Presents & the faid S^r Ferdinando Gorges & Cap^t: John Mafon for them their Heirs Executors Administrators and Assigns & their Associates do covenant to & with the faid president and Councell and their Successors by these presents that if at any time hereafter their shall be found any ore of Gold & Silver within the ground wherein any part of the faid premifes that then they the faid S^r Ferdinando Gorges & Capt. John Mafon their Heirs & Assigns and Associates shall yeald & pay unto the faid president & Councill their Successors & assigns One fifth part of all such Gold & Silver ore as shall be found within & upon the premifes & digged & brought above ground to be deliver'd above ground and that always within reasonable

able and convenient time if it be demanded after the finding getting & digging up of such ore as aforefaid without fraud or cunning and accordingly to the true intent and meaning of those Presents. And the faid S^r Ferdinando Gorges & Cap^t John Mason do further covenant for them their Heirs & Assigns & their Associates that they will establish such Government in the faid Portions of Land & Islands granted unto them and the same will from time to time continue as shall be agreeable as neer as may be to the Laws & Customs of the Relm of England & if they shall be charged at any time to have Neglected their duty therein that then they will reform the same according to the Directions of the president & Councel or in default thereof it shall be Lawfull for any of the agreiv'd Inhabitants or Planters being Tenants upon the faid Lands to appeal to the Chief Courts of Justice of the faid president and Counciel and the faid S^r Ferdinando Gorges & Cap^t John Mason do Covenant & Grant to and with the faid President & Councel their Successors and Assign's by these Presents that the faid S^r Ferdinando Gorges & Cap^t John Mason shall & will befor the expiration of three Years to be accounted from the day of the Date hereof have in and upon the faid portions of Lands or some part thereof one Fort with a Competent guard & ten Familys at the least of his Majestys Subjects resident and being in & upon the same premises or in default thereof shall & will Forfit & loose to the faid president & Councel the Sum of One Hundred Pounds Sterling Money & further that if the faid S^r Ferdinando Gorges & Cap^t John Mason their Heirs and Assigns or Associates shall at any time hereafter alien these premises or any part thereof to any Foreign Nation or to any person or persons of any Foreign Nation without the Special license consent and agreement of the faid President & Councel their Successors or Assigns that then the part or parts of the faid Lands so alien'd shall Immediately return back again to the use of the faid president & Councel And the faid President & Councel for themselves and their Successors do further covenant & Grant to and with the faid S^r Ferdinando Gorges & Cap^t John Mason their Heirs & Assigns and Associates And by these Presents that it shall & may be Lawfull at all times
hereafter

hereafter to and for the said S^r Ferdinando Gorges & Capt. John Mason their Heirs Assigns & their Associates and the Deputys Factors Servants & Tenants of them or any of them to have free Egrefs Regrefs way and Passage to enter & pass into & Return from and to any of the said demised Lands Lakes & Rivers with their Ships boats Barkes or other Vessells with their munition & their Cattle and Commodities of what nature soever from by & through any of the Lands Rivers Harbours Creeks or Sea Ports upon the Sea Coasts or Frontier parts of New England aforesaid belonging to the President & Councell aforesaid without any Lett trouble Interruption molestation or hindrance of them the said President & Councell their Successors or Assigns or if any other person or Persons claiming under them or by their Means or procurement. And for the better accommodation of them the said S^r Ferdinando Gorges & Cap^t John Mason their Heirs Assigns and Associates in their intended Trafficks & Plantations above in the said Lakes of the Irroquois whither their Goods and Merchandises from the Sea Ports are to be after Landing Transported, it shall be Lawfull for them to make chois of & take & possess for the use of them the said S^r Ferdinando Gorges & Cap^t John Mason their Heirs Assigns & Associates and their Deputys Factors Tennants and Planters of their Colonys in any of the Parts Harbours or Creeks in New England lying most Commodious for their Passage up into the said Lakes One Thousand Acres of Land upon the side or sides of such Harbours Ports Rivers or Creeks where the same is not yet disposed of to any other persons by the said President & Councell And the Lands by them shall be Holden Possessed & enjoy'd as freely and with as ample privileges Juredictions and Commodities in all respects as any other the Lands above in these Presents demised & granted unto them. And further know ye that the said president and Councell have made constituted deputed Authorized and Appointed And in their place and stead do put Edward Godfrey or in his absence to any other person that shall be their Governor or other Officer to the President and Councell to be their true & Lawfull Attorney and in their Name and Stead to enter the said Portion of Land and other premises with their Appurtenances

Appurtenances or into some part thereof in Name of the Whole for them & in their Name to have & take Possession and Seizing thereof or and after such Possession and Seizing thereof or some part thereof in the name of the whole so had & taken then for them & in their Name to deliver the full & peaceable Possession & Seizing of all & Singular the said granted premises unto the said S^r Ferdinando Gorges & Cap^t John Mason or to their certain Attorney or Attorneys in that behalf according to the true intent and meaning of these presents ratifying confirming & allowing all and whatsoever their said Attorney shall do in or about the premises by these Presents. In witness whereof to one of these present Indentures remaining in the Hands of the said S^r Ferdinando Gorges & Cap^t John Mason the said President and Council have caused their Common Seal to be affixed and to the other Part of these Present Indentures remaining in the Custody of the said President & Council the said S^r Ferdinando Gorges & Cap^t John Mason have put to their hands & Seals giving the day and Year first above written.

These are to Certify that the foregoing is a true Copy of the Original Enter'd upon Record in the Office of the Lords Commissioners for Trade and Plantations.

JOHN POWNALL

Secretary

WHITEHALL

Feby 17, 1763

V. GRANT

V. GRANT OF PESCATAWAY.

NOVEMBER 3, 1631.

*Grant & Confirmation of Pescataway to S^r. Ferdinando Gorges &
Capt. Mason & others Anō 1631.*

THIS INDENTURE made the 3^d day of Nouem^r An^o Dm̄ 1631 : and in y^e 7th yeere of y^e Reigne of our So^ulaigne Lord Charles by the Grace of God of England Scotland France and Ireland King Defender of the ffaith &c :⁸⁰⁶ Betweene the presid^t & Councill of New England on y^e one p^y and S^r. Ferdinando Gorges Kn^t Cap^t John Mason of London Esq^r and their Associates John Cotton, Henry Gardner, Geo. Griffith, Edwin Guy, Thomas Wannerton, Thomas Eyre and Eliez^r Eyer on y^e other p^y Wittnesseth. That whereas our late Soueraigne Lord of famous memory King James for the makeing of a Plantaçon and establisshing of a Colonie, or Colonies in y^e Countries called or knowne by the name of New England in America, did by his Highnesses L^res patents under the Great Seale of England, bearing Date at Westm̄ y^e 3^d day of Nou^r 1620 giue grant and confirme unto the R^e Hon.^{ble} Lodwicke Duke of Lenox, Geo. Marques of Buckingham, James L^d Marques of Hamilton, Thomas Earle of Arundale, Robert Earle of Warwicke, S^r. Ferdinando Gorges Kn^t and diuerse others whose names are expressed in the 1^d L^res Pat. their Heires and Assignes, that they shalbe one body Politique, and Corporate perpetuall, and that they should haue perpetuall Succession, and one Common Seale or Seales, to serue for the said Body, And that they and their Successors shalbe knowne, called and incorporated by y^e name of the presid^t & Councill established at Plym^o for the planting ruling and gouerning of New England in America, and did of his especiall

⁸⁰⁶ This grant is printed from a copy *Public Record Office, Colonial Papers*, made for Mr. Tuttle from the *British* Vol. VI. Art. 28.

especiall Grace, certaine knowledge, and mere moōon for him his Heires and Success^r give, grant, and confirme unto the f^d presid. and Councill and their Success^r under y^e, Reservaōns, Limitaōns and Declaraōns in the f^d L^{res} pat. expresse All that part and porōon of y^e Countrie now commonly called New England w^{ch} is situate, lying, and being betweene y^e latitude of 40 gr and 48 of North^{ly} latitude, Togeather wth y^e Seas and Islands lying wthin 100 Miles of any port of y^e f^d Coasts of y^e Countrie afore^d. And also all y^e Lands, Soyles, Grounds, Havens, Ports, Rivers, Mines as well Royⁿ Mines of Gold and Silver as other Mines, Min^{alls} Pearles and precious stones, Woods, Quarries, Marthes, Waters, ffishings, Hunting, Hawking fflowing, Commodities and Hereditam^{ts} wthsoever, togeather wth all Prerogatiues, Jurisdiōns, Royalties, priuiledges, ffranchises, and Preheminenes wthin any of the f^d Territories and y^e p^{rcin}cts thereof wthsoever. To have hold possels and enjoy all and singuler the said Lands and p^{misses} in y^e f^d L^{res} pat^{nt} granted or menōoned to be granted unto them y^e f^d presid^t and Councill their Successors and Assign for euer. To be holden of his Ma^{ty} his heires and Successors as of his H^{ty} owne man^r of East Greenw^{ch} in the Countie of Kent, in free and Common Soccage and not in Capite or by Knights Service. Yeilding and paying to the King's Ma^{ty} his Heires and Success^r the one 5th part of all y^e Gold and Siluer Oar that from time to time, and at all times from ye date of the f^d L^{res} pat^{nt} shalbe there gotten had or obtained for all Services duties or demands as in and by his H^{ty} L^{res} pat^{nt}: amongst di^{vs} other things therein contained more fully and at large it doth and may appeare, and whereas the f^d Presid^t and Councill have upon mature deliberaōon thought fitt for the better furnishing and furtherance of y^e Plantaōon in these parts to appropriate and allott to sefall pticuler p^{sons} diuerse pcells of land wthin the p^{rcin}cts of the afore^d granted p^{misses} by his Ma^{ty} f^d L^{res} pat^{nt}. Now this Indenture Witneffeth that the f^d Presid^t and Councill of their full free and mutuall consent, as well to y^e end that all the lands, Woods, Lakes, louches Rivers, Waters, ponds, Islands and Fishings, wth all other Traffique, Proffitts, and Commodities whatsoeuer

foeuer to them or any of them belonging, and hereafter in these pñts mençoned may be wholly and entirely invested appropriated seauered and settled in & vpon y^e f^d Sir fferdinando Gorges, Capt. John Mafon and their Affociates, John Cotton Henry Gardner, George Griffith, Edwin Guy, Thomas Wannerton, Thom: Eyre & Eliezer Eyre as by diuers speciall Seruices by them already done for the aduancement of the f^d plantaçon by makeing of Clapboards and Pipe-ftaues — makeing of Salt panns, and Salt, transporting of Vines for makeing of Wines searching for Iron Oare being all busineffe of very great Consequence for caufeing of many Soules, both men, women and boys and store of Shipps to be employed thither, and so in short time proue a great Nurfery for Shipping and Mariners, and also a great helpe to such as in this Kingdome want good Impleym^t. And further for y^e the f^d S^r fferd: Gorges, Capt. John Mafon and their said Affociates John Cotton, Henry Gardiner, Geo: Griffith Edwin Guy, Thom. Wannerton, Tho. Eyre and Eliezer Eyer haue by their Agents there taken great paines and spent much tyme in the discouering of the Countrie all w^{ch} hath cost them (as we are credibly Informed) 3000^l and upwards, which hitherto they are wholly out of purse, upon hope of doing good in time to come to y^e publicque, and also for other good and sufficient Causes and Consideraçons the f^d presid^t and Councill especially thereunto moueing, Haue giuen granted bargained sold assigned, aliend, sett ouer enfeoffed and confirmed and by these pñts do giue grant, bargaine, sell assigne, aliene sett ouer enfeoffe and confirme unto the f^d fferdinando Gorges Capt John Mafon, John Cotton, Hen: Gardner Geo. Griffith Edwin Guy, Thom. Wannerton Thom. Eyre and Eliezer Eyre their Heirs and Assignes for ever All that house and cheife habitaçon situate and being at Pascataway ats Passataquack ats Bassaquacke in New England aforesaid. Wherein Capt. Walt. Neale and y^e Colony w^{ch} him now doth or lately did reside togeather w^{ch} the Gardens and Corne ground occupied and planted by the f^d Colonie, and the Salt workes all ready begun as afores^d. And also all that porçon of Land lying w^{ch} in the precincts hereafter mençoned, beginning vpon the Sea coast about 5
miles

miles to the w^{ward} of or from the f^d cheife Habita^{on} or Plantation now possessed by the f^d Capt. Walter Neale for y^e use of the Aduenturers to Liconia (being in the latitude of 43 deg^r or thereabouts in the Harbour of Passataquack a^{ts} Bassataquack al^y Passataway, and so forth from y^e f^d beginning Eastw^d & North eastw^d and so proceeding Northw^d or North Westw^d into y^e Harbour and River along the Coasts & Shoares thereof including all the Islands and Islets lying w^{thin} or neere unto the same vpwards unto the head land opposite unto the planta^{on} or Habita^{on} now or late in the Tenure or Occupation of Edw^d. Hilton, & from thence, Wth and South Wth in y^e midle of the Riuer and through the midle of y^e Bay or Lake of Bequacack a^{ts} Bassaquack or by what other name or names it hath towards the bottome or Westermost part of y^e Riuer called Pascaslockes to the falls thereof, and from thence by an Imaginary Line to pass ouer, and to the Sea, where the pambula^{on} begann Togeather wth all y^e Lands, Soyle, Ground, Wood, Quarries, Mines, ffishing Hunting Hawking fflowing Comodities and Hereditam^{ts} whatsoever, Togeather also wth all Pr^{og}atiues, Jurisdi^{ons} Royallties, Priuileidges, ffanchises and Preheminences w^{thin} y^e precincts of land contained w^{thin} y^e limits or bounds afores^d. And also the Isles of Shoales, and y^e ffishings thereabouts and all the Seas w^{thin} 15 miles of the fores^d Sea Coasts, And also all the Sea Coasts and land lying on y^e East and Northeast side of the Harbour and River of Pascataway afores^d and opposite to the bounds above men^{oned}, beginning 15 miles to y^e S: eastwards of y^e mouth or first entrance and beginning of the said Harbour, and so vpp to y^e falls and into the ponds or Lakes that feed the f^d ffalls, by the space of 30 miles, including the f^d ponds or Lakes and the Shoares thereof, and so crossing into the Landward, at a right angle by the space of 3 miles the whole length thereof from y^e f^d mouth or first entrance from the Sea and Eastw^d into y^e Sea wth f^d 3 Miles shalbe allowed for y^e breadth of y^e f^d land last men^{oned} both vpon y^e land and Sea, As also all y^e Land, Soyle, Ground, Woods, Quarries, Mines, ffishinge, Hunting Hawking fflowing Commodities and Hereditam^{ts} whatsoever togeather wth all prerogatiues Jurisdi^{ons}

Royallties

Royalties Priuileidges franchises and preeminences within the precincts of land last mentioned, contained. To have and to hold all y^e f^d House and Habitation portions of Land and all Lakes and Islands therein contained as aforesaid, and all and singular other y^e premises hereby given, granted, bargained, sold, aliened, enfeoffed, and confirmed, with all and singular thappurtences and every part and parcel thereof unto y^e f^d S^r Ferdinand Gorges, Capt. John Mason John Cotton, Henry Gardner Geo. Griffith Edwyn Guy, Thomas Wannerton, Thomas Eyre and Elyezer Eyer to y^e only use & behoofe of them y^e f^d S^r Ferd : Gorges &c. for ever. Yeilding and paying unto our Souer^e L^d y^e King his Heirs and Successors $\frac{1}{2}$ of all y^e Oare of Gold and Silver that from time to time and at all tymes hereafter shalbe there gotten had & obtained for all Seruices, duties and demands, and also yeilding & paying unto the f^d presid^t Councill and their Successors euery yeere yeerely for ever 40^s sterl^t at y^e feast of S^t Mich : tharchangell if it shalbe lawfully demanded, at the Assurance House on the West side of the Royⁿ Exchange in London. And the f^d presid^t & Councill for them & their Successors do Covenant and Grant to and with y^e f^d S^r Ferdin : Gorges, Capt. John Mason and their said Associates John Cotton Henr. Gardner Geo. Griffith Edwyn Guy Thom. Wannerton, Thom. Eyer and Eliezer Eyre their Heires & Assignes by these p^rits that from thensealing and deliuey hereof according to y^e purport, true intent and meaning of these p^rits they the f^d S^r Ferdinan. Gorges, Capt. John Mason and their f^d Associates John Cotton Henry Gardner, Geo. Griffith, Edwin Guy, Thom. Wannerton Thom. Eyer and Eliezer Eyre, their Heires and Assignes shall from tyme to tyme for euer peaceably and quietly haue hold possesse and enjoy all thafore^s House and Cheife Habitation portions of Land with all y^e Islands and p^rmisses with thappurtefices hereby before given and granted or mentioned, meant or intended to be hereby given and granted, and every part and parcell thereof, without any Lett, disturbance, denyall trouble interrupcion or eviccion of or by y^e f^d President and Councill or any p^rson or p^rsons whatsoever clayming by from or vnder them or their Successors or by or under their Estate,

Estate, Right, Title or Interest And the f^d presid^t and Council for them and their Successors do further Covenant and grant to and wth y^e f^d S^r fferd. Gorges, Capt. John Mason, and their Associates John Cotton, Henry Gardner, Geo. Griffith Edwyn Guy, Tho. Wannerton, Thom: Eyre and Eliezer Eyre their Heirs and Ass^s by these p^{nts} that they the f^d presid^t and Council shall at all time & times hereafter vpon reasonable request at the only proper Cost and Charges in the Law of the f^d S^r ferdin. Gorges, Capt. John Mason and their f^d Associates John Cotton Henry Gardner, Geo. Griffith Edwin Guy Tho. Wannerton Tho: Eyre and Eliezer Eyre their Heires and Ass^s do, make p^{forme}, suffer execute, and willingly consent unto any further Act or Acts, Conveyance or Conveyances, Assurance or Assurances for the good and p^{fect} Investing, Assuring, Conveying, and sure making of all the afores^d Houses and Habita^{cion}, por^{cons} of Land, Islands and all and singular other the p^{misses} wth thappurteices to the f^d S^r fferd. Gorges Capt. John Mason and their f^d Associates John Cotton Henry Gardner George Griffith Edwyn Guy, Thomas Wannerton Tho. Eyre and Eliezer Eyre their Heires and Assignes, as by them their Heires or Assignes, or by his or their or any of their Council learned in the Law shalbe devised or advised or required, And further Know y^{es} that the f^d presid^t and Council haue made, constituted deputed, authorized appointed, and in their place and deed do putt Capt. Thom: Camack Henry Jocelin, or in their absence to any other p^{son} that shalbe their Gouvernor, or other Officer, to the pres^{nt} and Council to be their lawfull Attorney and in their name & stead to enter into the f^d House and Habitation por^{cons} of Land and other y^e p^{misses} aboue giuen and granted wth their ap^{ptes}ices, or into some pt thereof, in the name of the whole for them and in their name to haue and take possession and seizin thereof, and after such Possession and Seizin so thereof or of some part thereof in the name of the whole so taken and had, then for them and in their names, to deliuer full and peaceable possession and Seizin of all and Singular the f^d granted p^{misses} unto y^e f^d S^r Ferdinando Gorges Capt. John Mason and their said Associates John Cotton

Cotton, Henry Gardner, Geo. Griffith, Edwyn Guy Thomas Wannerton, Thomas Eyre, and Eliezer Eyre, or vnto their certaine Attorny or Attornys in that behalfe, according to the true interest and meaning of theise pñts, Ratifying Confirming and Allowing all and whatfoeuer their said Attorney shal do in or about the pmisses by these pñts. In Wittnesse wherof the said president and Councill to two parts of these presents both of one Tenor haue Sett their Common Seale and to one part thereof the 1st S^t. Ferdin: Gorges, Capt. John Mafon, John Cotton, Henry Gardner, Geo. Griffith, Edwin Guy, Tho: Wannerton, Thom: Eyre and Eliezer Eyre, haue sett their hands and Seales the day and yeere first aboue written.

VI. GRANT OF NEW HAMPSHIRE AND MASSONIA.

APRIL 22, 1635.

Grant of New-Hampshire and Massonia to Captain John Mafon.

THE patent of April 22, 1635, is intended, as is therein stated, to confirm to Capt. John Mafon the right to the territory assigned him by the Council for New England at its session February 3, 1634-5. The record of that session is printed in the "Proceedings of the American Antiquarian Society" for April, 1867,⁸⁰⁷ pages 114 to 118. The Company having decided to surrender its charter to the king, its territory was divided by the Council at that meeting into eight divisions, which are severally entered on the record.

⁸⁰⁷ The number of the *Proceedings of the American Antiquarian Society* for April, 1867, pp. 51-131, contains all the records of the Council for New England that are now known to be in existence. They run from May 31, 1622, to June 29, 1623, and from November 4, 1631, to

November 1, 1638. The editor of these records, Charles Deane, LL.D., prefixes to them a valuable historical introduction. Further remarks on the records by Dr. Deane will be found in the *Proceedings* of the same Society for October, 1875, pp. 49-60.

record. No. 1 is assigned to Thomas Howard, Earl of Arundel and Surrey ; No. 2, probably to James Stuart, Duke of Lenox ;⁸⁰⁸ No. 3, probably to James Hay, Earl of Carlisle ;⁸⁰⁸ No. 4, probably to James Hamilton, Marquis of Hamilton ;⁸⁰⁸ No. 5, to Edward Gorges ; No. 6, to Capt. John Mafon ; No. 7, to Sir Ferdinando Gorges ; and No. 8, to William Alexander, Earl of Stirling. The form of conveyance, the bounds of the tracts of the several grantees, and the signers to the conveyances are entered on the record. The bounds of Mafon's division are thus given : —

To beginn at y^e middle of Namekeck harbour or river & from thence to proceed E. ward along y^e sea coast to Cape Anne. & round about y^e same into Pascataway Harbour. & so forth wards up within y^e river of Newichewanock, & to y^e furthest head of y^e said river, & from thence N. W. ward till 60 miles be finished from the first entrance of Pascataway harbour. Also from Namekeck from the Harbour & river thereof up into y^e Land west 60 miles, from which period to crosse over land to the 60 miles end accounted from Pascataway throff Newichewanock River into y^e Land N. West as afore-said ; & hereunto is to belong y^e south halfe of y^e Isles of Shoales & 10,000 Acres on y^e S. East part of y^e River Sagadahock at y^e Mouth or Entrance thereof.

Signed by

LENOX,

STERLINE,

ARUNDELL & SURREY, ED. GORGES,

CARLILE,

S^r FERD. GORGES.

Appended to the record of February 3, 1634-5, is the following entry : —

Memorandum, that to all these particular grants of the Divisions aforesaid did signe with their own hands upon y^e 14th of Aprill following

⁸⁰⁸ No names are affixed on the record to these divisions. My reason for thinking that they were assigned to the persons named is that No. 2 is not recorded as signed by Lenox, nor No. 3 by Carlisle, nor No. 4 by Hamilton.

lowing all y^e above named Lords and others, and theruppon they had every one his particular diviſion delivered out unto them.

Memorand. the 18th day of Aprill following Leaſes for 3000 yeares were made of the ſeveral diviſions to ſeverall pſons intruſted for their benefitts.

Memorand. the 22^d day of Aprill ſeveral deeds of feoffment were made unto the ſeveral proprietors of their ſeverall parts ſo to them allotted by the Diviſions aforeſaid.

In the Rev. William Hubbard's "Hiſtory of New England," Vol. I. pp. 231, 232, is preſerved a copy of the deed to Maſon, under this diviſion with the ſignatures. It is as follows:—

FORASMUCH as by a mutual agreement, we whoſe names are ſubſcribed, Patentees or Adventurers, and of the Council of New England, are to join in the ſurrender to his Majeſty of the Great Charter of that country, which was granted to us in the 18th year of the reign of King James, of bleſſed memory; in whoſe preſence, Feb. 3, 1634,³⁰⁹ lots were drawn for ſettling of divers and ſundry diviſions of
lands

³⁰⁹ There is no date here in the record of the Council for New England. The editor of the ſecond edition of Hubbard's *New England*, the late William Thaddeus Harris, A.M., conjectured that the third figure in the year given in the manuſcript of that hiſtory was a miſtake, and that the date intended was 1624. But ſince the appearance of that edition the Council record for the meeting when lots were drawn in the preſence of King James has been diſcovered, and we find that it was held on Sunday, June 29, 1623. The Hon. John G. Palſfrey, LL.D., in his *Hiſtory of New England*, Vol. I. pp. 400, 401, expreſſes the opinion that the phraſe "in whoſe preſence" refers to the Council, and not to King James, and that the date in the manuſcript, February 3, 1634, represents

truly the time when the diviſion referred to was made. I muſt diſſent from this concluſion for theſe reaſons: 1. It will be obſerved that this diviſion was made by drawing lots. Now at the diviſion at Greenwich June 29, 1623, in the preſence of James I., this was the caſe, for the record explicitly ſtates that lots were drawn, and that the king drew the firſt lot for the Duke of Buckingham, who was abſent. On the contrary, at the meeting February 3, 1634-5, ſome other mode of allotment muſt have been uſed, as the territory allotted to Gorges and Maſon was that to which they had previous claims, by improvements which they had made, and by grants which they had received. The two diviſions aſſigned to them united extended from Naumkeag to Sagadahock, the ſame
territory

lands on the sea coasts of the said country, upon most of us, who hitherto have never been confirmed in the lands so allotted :

And to the intent that every one of us, according to equity, and in some reasonable manner, answerable to his adventures, or other interest, may enjoy a proportion of the lands of the said country, to be immediately holden of his Majesty :⁸¹⁰ We therefore do condescend, and agree,

territory that is comprised in the two grants of 1622, namely, that of Mariana to Mafon extending from Naumkeag to the Merrimac, and that of the Province of Maine to Gorges and Mafon, extending the Merrimac to the Sagadahock. The chances are very small indeed that this could have happened if lots had been drawn. 2. It is here stated that most of those who received lots at this time had "never been confirmed in the lands so allotted," and the same language is used in the record. This indicates that some considerable time had elapsed between the division and the entry on the record. 3. The grammatical "construction of the sentence would naturally refer the words 'in whose presence' to the king." This Dr. Palfrey admits. I cannot doubt, therefore, that the date February 3, 1634, has been interpolated. As we have only a transcript of Hubbard's history, it is possible that in his original manuscript the author placed in the margin the date of the meeting when the instrument was authorized to be made, and the copyist erroneously transferred the date to the body of the instrument.

⁸¹⁰ In pursuance of the design here stated that these grants should be "immediately holden of his Majesty," the Council for New England petitioned the king to order the Attorney-General to draw up for the grantees "several patents of such parcels of land as by their mutual consent have been allotted to them, and to have the same Patents prepared fit for your Majesty's royal

signature, with such titles, privileges [and] immunities as have been heretofore granted." *Vide History of New England*, by W. Hubbard, Vol. I. p. 230, where the petition is printed in full. The draught of this petition is entered on the records of the Council April 26, 1635. *Vide Proceedings of the American Antiquarian Society*, April, 1867, pp. 119, 120. The Council for New England presented a petition to the Privy Council, apparently in connection with that to the king, in relation to the resignation of their patent and the issue of royal patents for the several divisions which are specifically described. Instead, however, of eight divisions, as on the record, twelve are named in the petition; and instead of the numbers of the lots beginning at the south and running north, the numbers here begin at the north and run south. The petition also asks that the patent of the Massachusetts Bay Company be revoked, and that a government for the whole country be established, and a governor-general be appointed. Extracts from this petition are printed in the *History of New England*, by W. Hubbard, Vol. I. pp. 227-230. On the Council records will also be found other matters relating to the surrender of the Great Charter, such as draughts of the Declaration of the Council, and of the Act of Resignation, both under April 18, 1635; and under April 26, 1635, a form for a proclamation by the king establishing a general government for New England. *Vide Council Records in Proceedings of the American Antiquarian*

agree, that all the part of the seacoast of the country aforesaid, shall belong to Captain John Mason, to begin at the middle of Naumkeek River, and from thence to proceed eastward along the seacoast to Cape Anne, and round about the same into Pascataqua Harbor, and so forward up the River of Newichawanock, and to the furthest head of the said river, and from thence northwestward, till sixty miles be finished from the first entrance of Pascataqua Harbor. Also from Naumkeek through the harbor and river thereof, up into the land west sixty miles; from which period to cross over land to the sixty miles end, accounted from Pascataqua, through Newichawanock River, and into the said land northwest as aforesaid; and hereunto is to belong the south half of the Isle of Shoals, and ten thousand acres of land on the southeast part of Sagadahock, at the mouth or entrance thereof.

Saving and reserving out of this Division, to every one that hath any lawful grant of lands, or Plantation lawfully settled in the same, the freeholding and enjoying of his right, with the liberties thereunto appertaining, laying down his *jura regalia*, if he have any, to the Proprietor of his Division, wherein his land lies, and paying some small acknowledgment, for that he is now to hold his said land anew of the Proprietor of his Division.

LENOX,

HAMILTON,

ARUNDEL & SURREY,

CARLILE,

STARLING,

EDWARD GORGES,

FERD. GORGES.

Concordat cum originali, facta collatione per me.

THOMAS MAYDWEL, *Notar. Publicum.*

As

quarian Society for April, 1867, pp. 119-128, and Dr. Deane's notes on the same. The Act of Resignation, the date of which in the record is left blank, was signed June 7, 1635. A printed copy will be found in *Historical Collections*, by E. Hazard, Vol. I. p. 393, and a man-

uscript copy in the British Public Record Office, London, Colonial Vol. VIII. No. 66. The Declaration is printed in *Historical Collections*, by E. Hazard, Vol. I. pp. 390-392. An attempt was made in that year to vacate the Massachusetts charter as desired by the petitioners.

Vide

As before stated, the form of this document and of the several other conveyances under this allotment is entered on the record of the Council February 3, 1634-5. But it is not all in one place. The portion preceding the name of Capt. John Mason is prefixed to the record of the division to the Earl of Arundel and Surrey, which is the first division recorded; the bounds are in another place, and the last paragraph in the document follows the record of the eighth and last division.

The grant was confirmed under seal, April 22, 1635, by the Plymouth Company, and two deeds of nearly the same tenor are on record in the Registry of Deeds of York County, Maine, Book II. pp. 14 to 17. They have been copied for me by Mr. William M. Sargent,²¹¹ of Portland, Maine, and are as follows:—

THIS INDENTURE made, the Two & twentieth day of Aprill, In the Eleaventh yeare of our Sovereign Lord, Charles by the grace of god, King of England, scotland, france, & Jreland, Defend^r of the faith
 &c: betwene the Councell established at Plymouth In the
 Plymouth County of Deavon for the planting ordering ruleing &
 Council governing of New England, in America on y^e one part,
 & Jn^o. Mason & Cap^t John Masone Esq^r on the other part, Witnes-
 feth/ That w^{as} our late Soueraign Lord King James of
 blessed

Vide The Quo Warranto of 1635, by Mr. G. D. Scull in the New England Historical and Genealogical Register, Vol. XXXVIII. pp. 209-216. Sir Ferdinando Gorges seems to have been the only one of the eight persons to whom lands were assigned February 3, 1634-5, by the New England Council, who had the right to these lands confirmed by the king. This was done by charter April 3, 1639. This charter is printed in Historical Collections, by E. Hazard, Vol. I. pp. 442-455. The bounds in the charter are the same as on the

Council record, except that on the record the territory extends only sixty miles inland, while in the charter it extends one hundred and twenty miles.

²¹¹ The first volume of the *York Records of Deeds* has just been published under the supervision of the Maine Historical Society, with pecuniary aid from the State of Maine. Mr. Sargent, who is remarkably well qualified for the work, is the editor of the volume. The records of York County, Maine, are preserved at Alfred, the shire town. They are the oldest records in the State.

bleſſed memory, by his highneſſe Letters pattents vnder the great ſeal of England, bearing date at Weſtminſter the third day of Novemb^r Jn the eighteenth yeare of his highneſſe Reign over the Realme of England, for the conſiderations In the ſame letters pattents expreſſed, hath abſolutely given granted & Confirmed vnto the ſayd Councell & thejr ſucceſſors for ever, all the Land of New England Jn America liſng & being Jn breadth from forty degrees of Northerly latitude from the æquinoctiall Lyne, to forty eight degrees of the ſd Northerly latitude Incluſiue, & Jn length of & with in all the breadth aforeſd, through out the Mayn Land from ſea to ſea, together alſoe with all the firme Lands, ſoyles, grounds Havons, Ports, Rivers, Waters, fiſhings Mines, and Mineralls as well Royall mines of gould & ſilver as other Mines & Mineralls, pretious ſtones quarries, & all & ſingular other commoditys Jurifdiſtions, Royaltys, priuiledges, frantiſes, & præheminences, both with in the ſd Tract of Land, vpon the Mayn, & alſoe with in the Iſlands, & ſeas adioyning (as by the ſd Letters Pattents amongſt diuerſe other things thejr in containd, more at Large doth & may appeare)

Now this Jndenture further Witneſſeth, that y^e ſd Counſell in P^rformance of an agreement made by & between them ſelues, & Jnacted the third day of February laſt paſt before the date of theſe Preſents, for a competent ſome of Money, & alſoe for diuerſe other good cauſes & conſiderations them the ſayd counſell herevnto eſpecially moueing, haue given granted barganed ſould, Jnſſeſſed & confirmed, & by theſe Preſents do give grant bargan ſell Jnfeoffe & confirme vnto the ſd Cap^t John Mayſon his heyres & aſſignes, all that part purpart & portion of the Mayn Land of New England aforeſd, begining from the Middle part of Nahumkege River & from thence to proceed Eaſtward along the ſea Coaſt to Cape Ann, & round about the ſame to Piſchataqua harbour, & ſoe forward vp with in the River of Newgewanacke, & to the furtheſt head of the ſd River, & from thence Northwestwards, till ſixty Miles bee finiſhed from the firſt entrance of Piſchataqua Harbour, & alſoe from Nauumkeage through the River there of vp into the land Weſt ſixty Miles, from which
perioud

period to crosse over Land to the sixty Miles end, accompted from Pischataqua through Newgewanacke River, to the Land Northwestward aforeſd, & alſoe all that South halfe of the Yles of ſhoales together with all other Iſlands & Iſlets as well Imbayd, as with in five Leagues diſtance from the Premiſſes, & abutting vpon the ſame or any part or Prcell thereof, not otherwiſe granted to any by ſpetiall name ; All which Part & portion of Lands Iſlands & Pmiſſes are from hence forth to bee Called by the name of New Hampſhyre/ And alſoe the ſd Counſell for the Conſiderations aforeſd, haue given granted barganed ſould Inſeoffed & confirmed, & by theſe pſents do give grant bargan ſell Inſeoff & confirme vnto the ſd Cap^t John Mayſon his heyres & aſſignes all that other Prcell or portion of Lands, woods & wood grounds, liſing on the South Eaſt Part of the River Sagadehocke In New England aforeſd, at the Mouth or entrance thereof, Contayneing, & to contayn there tenn thouſand Acers/ Which ſd other Prcell of Lands from hence forth is to bee Called by the name of Maſſonia/ And moreouer the ſd counſell for the conſiderations aforeſd, haue given granted barganed ſould, Inſeoffed & Confirmed, & by theſe Preſents do give grant bargan ſell Inſeoff & confirme vnto the ſd Cap^t John Maſon his heyres & aſſigns, together with the ſd barganed Premiſſes, all the firme lands ſoyles grounds Havons, Ports Rivers, waters fiſhings, Mines & mineralls, as well Royall Mines of gould & ſilver, as other Mines & Mineralls, prætiours ſtones quarries, & all & ſingular other Comoditys, Jurifdictions Royaltys, privilidges frantiſes, & preheminences both within the ſd Tracts of Land vpon the Mayn, & alſoe with in the Ylands & ſeas adioyneing/ Saveing, excepting, & reſerving, out of this Preſent grant onely the fifth Part of all the oare of gould & ſilver due to his Maſteſtys heyres & Succeſſors, & In & by the ſd recited Letters Pattents reſerved/ To haue & to hold all thoſe the ſd ſeverall Prcells of Land, & all the other ſd barganed Premiſſes, with thejr & euery of there appurtenācs (except before excepted) vnto the ſd Cap^t John Maſon, his heyres & aſſignes, to the onely proper vs & behalfe of him the ſd Cap^t John Maſon, his heyr & aſſigns for ever, & to bee Jnioyed as fully freely &

& Jn as large ample & benefitiall manner & forme to all Jntents & purpofes w^{foeuer}, as they the ſd Counsell & thejr ſucceſſors by vertue of the ſd recited letters Pattents might or out to haue hould & Jnioy the ſame or any Part or Prcell there of/ Jn witneſs w^{of} to the one Part of this Preſent Jndenture, remaneing in the hands of the ſd Cap^t John Maſon, they the ſd Counsell haue afixed thejr Co^man ſeal/ to the other Part of this Preſent Jndenture remajning Jn the hands of the ſd Counsell, the ſd Cap^t John Maſon hath ſett two his hand & ſeal dated the day & yeare firſt aboue written/ Anno : Domⁱ : 1635 : & ſealed with the ſeal of the ſd Counsell thereon appended/

Vera Copia/

FRED: IXEM *Not^r pub^lus*
1664:

A True Coppy tranſcribed out of the originall Coppy this 25 May : 1667 : & there with Compared p EDW: RISHWORTH *Re: Cor:*

To all Chriſtean people vnto whom theſe Preſents ſhall come, the Councell for the affayres of New England Jn America ſend greeeteing in o^r Lord god everlaſting/ W^{as} our late Soueraign Ld King James of bleſſed memory, by his highneſs letters pattents vnder the great ſeal of England beareing date at Weſtminſter the third day of Novemb^r Jn the eighteenth yeare of his Reign over his highneſs Realme of England, for the Conſideration Jn theſd letters Pattents expreſſd, & declared, hath abſolutely given granted & Confirmed vnto theſd counsell, & their ſucceſſors for ever, All the land of New England Jn America, liing & being in breadth from fourty degrees of Notherly Latitude from the equinoctiall Lyne to fourty eight degrees of the ſd Notherly latitude Incluſeively, & Jn length of and with in all the breadth aforeſd, from ſea to ſea, togeather alſoe with all the firme Lands Soyles grounds, havens ports Rivers, Waters, fiſhings, Mines, & Mineralls as
Well

Plim: Council
To
Jn^o Maſon

Well Royall Mines of Gould & silver as other Mines, & Mineralls pretious stoons quarries, & all singular other commoditys, Jurisdiccions Royaltys, priviledges Frantifces, preheminences, both with in the sd Tract of Land, vpon y^e Mayn & alsoe within the Yslands & seas Adioyneing, as by the sd letters pattents, amongst diverse other things therein Contayned, more at large, doth & may appeare; Now know all men by these p^rsents, That y^e sd Counsell of New England in America being assembled Jn publick Court, according to an act made & agreed vpon the third day of February last past, before the date of these Presents, for diverse good causes & considerations, them y^evnto espetially moueing, Have given, granted, aliened barganed & sould, & in & by these Presents do for them & thejr successors, give, grant, aliene bargane sell & confirme vnto Cap^t John Mason Esq^r, his heyres & assignes, all that part of the Mayn Land of New England afore^sd, begining from the Middle part of Navmkeck River, & from thence to proceed Eastwards along the sea Coast to Cape Anne & round about the same to Pischataway Harbor, & soe forwards vp with in the River of Newgewanacke, & to y^e furthest head of the sd River, & from thence North Westwards, till sixty Miles bee finished, from the first entrance of Pischataqua Harbor & alsoe from Naumkecke through the River thereof vp into the Land West sixty Miles, from which period to crose over Land to y^e sixty Miles End, accompted from Pischataway, through Newgewanack River to the Land North West afore^sd/ & alsoe all that the South halfe of the Yles of shoales/ all which Lands with the Consent of the Counsell shall from henceforth bee Called New Hamshyre/ And alsoe tenn Toufand Acers more of Land Jn New England afore^sd, on the South East part of Sagadihoc, at the Mouth or entrance y^e of, from henceforth to bee Called by the name of Massonia/ together with all & singular Havens Harbors, Cricks, & Jylands Jnbayd, & all Jslands & Jsetts, liing with in fieve leagues distance of the Mayne land opposite & abutting vpon the Premises or any part thereof, Not formerly lawfully granted to any, by spetiall name, & all Mines, Mineralls, quarries soyles, & woods, Marshes waters Rivers lakes, fishing, hawkings hunting, & fowling,
&

& All other Royaltys, Jurifdictions preuiledges, Preheminences profits, comoditys, & hæreditaments w'foever, with all & singular thejre & every of y^r app'tenances & togeather alsoe with all rents reserved, & the benefitt of all profitts due to the sd Counsell, & thejr succeffors, with pouer of Judicature in all causes & matters w'foever, as Well Criminall Capitall & civill, ariseing or which may hereafter arise with in the Lymitts, bounds & p'cincts aforseyd, to bee exercized, & executed according to the Laws of England, as neere as may bee, by the sd Cap^t John Mafon his heyres & assignes, or his or thejr Deputys Leeften^s Judges, Stewards or officers therevnto by him or them assignned, deputed or appoynted from tyme to tyme, with all other priviledges frantises, Lybertys, Immunitys, Escheats, & causuallitys, there of ariseing or which shall or may hereafter arise with in the sd Lymitts & p'cincts with all the Right title Clayme & demānd w'foever, which the sd Counsell & thejr succeffors now of right haue or ought to haue or Claime, or may haue or acquir hereafter in or to the sd portion of Lands, or Ylands, or any of the p'misses, and Jn as large free ample benefitall a manner, to all Jntents Construccions & purposes w'foever, as the sd Counsell, by vertue of his Majestys sd letters Pattents may or Can grant the same saveing & always reserving vnto y^e sd Counsell & thejr succeffors pouer to receive heare & determine & singular appeale & appeales of every p'son & p'rons w'foeuer, dwelling or Jnhabiting with in the sd Territorys & Ylands or any Prt thereof, soe granted as aforefd, of & from all Judgments & sentences w'foeuer given with in the sd Lands, & territorys aforefd, To haue & to hould all & singular the Lands & p'misses aboue by these p'sents granted (except before excepted) with all & all manner of Profetts, comoditys & hæreditaments, whatfoeuer, with in the Lands & p'cincts aforefd, to the sd Lands Ylands & p'misses, or any Part of them any wise belonging, or appertayning vnto the sd Cap^t John Mafon his heyres & assignes, to the onely p'per v's & behoofe of him the sd Cap^t John Mafon his heyres & assignes for ever, to bee houlden of the sd Counsell & thejr succeffors p^r gladium Commitatis, that is to say by finding foure able men conveniently armed & arrayed for the warr to
Attend

Attend vpon the Gouvern^r of New England, for the publick service of, within foureteen days after any warneing given/ Yejlding & pajng vnto the sd Counsell & y^r succcessors for ever one fift Part of all the oare of the Mines of gould & silver, which shall bee had possessed or obtayned, with in the Lymitts or p^cincts aforesd, for all Rents services, dutys & demānds wthfoeuer, due vnto the sd Counsell & thejr succcessors, from any plantation within the Precincts aforesd, the same to bee delivered vnto his Majestys Receiver his Deputy or Deputys assigned for the receipt there of to the vs of his Majesty his heyres & succcessors from tyme to tyme with in the Lands p^cincts & territorys of New England, aforesd; And lastly the sd Counsell haue deputed & authoriz'd & appoynted & Jn thejr place & stead haue putt Henery Jocelyn Esq^r, & Ambrose Gibbines Gentleⁿ: or either of them to bee y^r true & lawfull Attorney, & Attorneys for them & Jn y^r name & stead to enter into the sd Lands & other the p^misses with thejr appurtenances or any Part thereof in the name of the whool, & to take quiett & peaceable possession & seazin thereof soe had & taken as aforesd/ then to deliver the same vnto the sd Cap^t John Mason his heyres or assigns, or to his or thejr Certen attorney or Atturnys to bee by him or y^m deputed on that behalfe, according to the purport trve Intent & meaning of these p^sents/ Jn witness wth of they the sd Counsell haue here vnto afixed thejr comā seal/ Dated the Two & Twentieth day of Aprill, Jn the Eleaventh yeare of the Reigne of o^r Soueraign Ld Charles by the grace of god King of England Scotland, ffrance & Ireland Defend^r of the faith Anno: Domⁱ: 1635:

Scaled with the seal of the sd Counsell there to appended/

Vera Copia/

FRED: IXEM *Notoio^r*

Publicus/

A trve Coppy transcribed out of the originall Coppy & there with Compared this 27: May: 1667:

p EDW: RISHWORTH *ReCor:*

It

It will be noticed that the first deed on the York Registry of Deeds lacks some of the details which are found in the indentures of previous grants, and notably that no person is named in it as attorney to deliver possession to the grantee. Abner C. Goodell, Jr., A.M., the editor of the "Acts and Resolves of the Province of Massachusetts Bay," published by the State, has examined the two deeds, and has written for me his views upon the subject, as follows:—

The only plausible explanation of this double conveyance that occurs to me is that one is a deed of *feoffment*, and the other an *indenture of bargain and sale*, given to re-enforce the former and "to make assurance doubly sure."

The reasons for this conjecture rest upon technicalities peculiar to the feudal tenures, which I will endeavor to explain as briefly and simply as possible.

The distinction between the above kinds of conveyance (now practically obsolete here by the operation of our statutes) was, at the date those deeds were executed, marked and important. Which of them was first executed I do not venture to decide. They bear the same date; and the order in which they appear of record in York County, thirty-two years later, would be insufficient to fix the priority of the execution of either.

A *feoffment*, or investiture of the feud or fee of the land, was originally made by a delivery of the premises *in fact* (that is, between the parties, actually on the land,—usually by some symbolical delivery, as of a turf or twig, or by entry of the building, if any, and formally declaring the transfer of possession before witnesses); or by delivery *in law*; that is, by making a similar declaration within sight of the premises, and as near thereto as possible,—which, in some instances, was sufficient to ground an action upon.

In the course of time a written *deed* or *charter* of feoffment, under seal, accompanied and attested the transaction; but no record of this form of conveyance was necessary, as the transfer was open and notorious, and the continued occupancy of the feoffee was as patent as any record.

It is obvious that this form of conveyance could not be used in transferring land out of the realm while either party remained in the realm, unless the act of delivery were made by one or more agents or attorneys appointed for that purpose. Hence, in the deed poll before us, which is in terms a feoffment, Jocelyn and Gibbens were appointed first to make actual entry upon the lands in the name of the company, and then to deliver the feisin to (in other words, to enfeoff) Maſon the feoffee.

Here, however, a contingency, the effect of which the "Councill learned in the Law" whom Maſon employed for the "good and perfect investing, assuring," &c., of his grants, could not have failed to foresee, threatened to frustrate the whole proceeding. The company were intending, forthwith, to surrender their charter. Indeed, only three days after the date of these deeds a "declaration" for resigning their charter was adopted at a legal meeting of the corporators, held "at the Earl of Carlisle's chambers at Whitehall," and the act of surrender was completed on the 7th of June following.

The result of this surrender would be a dissolution of the corporation, which, like the death of a natural person, would, *ipſo facto*, terminate the powers of all agents and attorneys appointed

appointed under the corporate seal; and therefore the intended feoffment would fail in the essential particular which characterized this form of conveyance, unless the time intervening between its execution in England and the livery of seisin in America were sufficient to make the act of investiture possible.

There was, however, another form of conveyance which did not require the actual delivery of possession. This was the *bargain and sale* above referred to.

By the ancient law of England, when one person bargained and sold land to another for a valuable consideration, the very contract made the bargainor a trustee, so to speak, of the bargainee, without any formal transfer of the land; and he was said to be *seised to the use* of the bargainee, and could be obliged in equity to give the latter further assurance of the title which he had agreed to convey to him. In the twenty-seventh year of King Henry VIII. an act of parliament known as the Statute of Uses was passed, abolishing this double relation to the land upon a bargain and sale, and absolutely vesting the land in the bargainee, without any other ceremony. By a later statute passed by the same parliament, this conveyance by bargain and sale was required to be made by written indentures under seal, if it was of an estate of freehold, and to be enrolled within six months either in one of the four courts of record at Westminster, or in the county where the land lay, before the *custos rotulorum* and others mentioned in the statute.

Now, the indenture recorded at York contains all the apt words of a bargain and sale, to which are superadded words of enfeoffment, possibly for the purpose of making it stronger. No particular words were necessary to effect the intention of the bargainor, provided that intention were obvious from the general import of the deed. It was essential, however, that there should be, as I have said, *a valuable consideration*; and it will be noticed that in the indenture "*a competent some of money*" is stated as the consideration, which words do not appear in the deed of feoffment. Again, by deed of bargain and sale, only things actually in being at the time of executing the deed could pass. This was owing to the peculiar language of the Statute of Uses, from which this form of conveyance derived its validity. Hence, therefore, the right of government which had not been organized or established, but existed *in posse* only, was not a proper subject of conveyance by bargain and sale, though if it could be conveyed at all, it might be by the deed of feoffment which contained the proper words of grant for transferring this "incorporeal hereditament."

I say, if the power of government could be conveyed *at all* by this corporation, because no such power of alienation is expressly given by the charter. Moreover, the right to transfer it was denied by Sir Richard Rainsford, Chief Justice of the King's Bench, and Sir Francis North (Lord Guilford), Chief Justice of the Common Pleas, upon a submission of this question to them by the Privy Council in 1677, and this opinion was concurred in by Mason's counsel at that time; still the *attempt* to transfer it to the feelee in this manner might be the foundation for a confirmation of the transfer by a subsequent act of the Crown; and it appears that the corporators and grantees were looking for such a confirmation of their grants.

If, therefore, this deed of bargain and sale were between proper contracting parties, — that is, if the bargainee were capable of taking and the bargainor of conveying, — the only thing necessary to perfect Mason's title under this indenture was that it should be properly
and

218 *Charters of Captain John Mason.*

and seasonably enrolled. It seems to me that although the company held its territory as of the manor of East Greenwich in Kent, that circumstance did not require that its deeds of bargain and sale of lands in America should be enrolled in that county, or indeed elsewhere in England; since those words were intended exclusively to define the *nature of the tenure*, which could only be made certain by this or a similar expression at that time, which was before all feudal tenures had been turned into estates of free and common socage under the enlightened policy of the Puritan Commonwealth. The proper *place* for the record or enrolment of such an instrument would be the shire town, or other established place within the granted territory, and the proper *time* would be such as should be determined by a standing law promulgated by the court or council having charge of the local government in the territory. This would be in accordance with the English rule that in matters relating to the conveyance of real estate, the local law (*lex loci rei sitæ*) must govern as far as possible.

But this conveyance was fatally defective in that, by the law of England, a corporation could not be seised to a use, and hence could not be party to a bargain and sale.

Such was the dilemma in which Mason was placed with regard to his claim of title under these instruments. He had, to be sure, the forlorn hope of securing a proper livery of seisin before the corporation ceased to exist; but if he failed in that, he had only his previous grants to fall back upon, or to rely upon the timidity or ignorance of other claimants, unless, indeed, he could secure from the Crown a clear confirmation of his grant.

I have discussed these Mason deeds in the above order of precedence, because it seemed most likely that the plan of taking by feoffment was first suggested; but it may have been the reverse of this, and that the deed of feoffment was drawn to re-enforce or cure the defects of the indenture. However, it is certain that the instruments submitted in support of Mason's claim to the Attorney-General, Sir William Jones, in 1679, were declared by him invalid,—they being “unwitnessed, and without any entry or record of them anywhere, without seisin endorsed, and no possession having ever gone along with them.”





LETTERS AND DOCUMENTS.

CAPTAIN JOHN MASON.



THE following collection contains all the letters that have come to the knowledge of the editor that were either written by Capt. John Mason or addressed to him by others. They will be useful as illustrating his life and character. Interpersed with them are various other letters and documents relating to Mason or his Plantations.

I. MASON'S SURRENDER OF HIS SHIP.

AUGUST 23, 1615.

PRIVY COUNCIL :

Apud EDINBURGH xxij Augusti 1615.

Capt^m Maiffon his surrender of his Ship.

THE quhilk day in presence of the Lordis of Secret Counsaill
compearit personalie Johnne Maiffon induellair in Kingis Linne
within

within the realme of England awnair of the schip callit the Neptune of Kingis Linne and surrenderit renuncait and simpliciter ouergaif to Sir Gideone Murray of Elibank knight Deputis Thesaurair his schip foirfaid of the burdyne of ffourty tonniss or thairby Togidder with hir ankeris cabillis towis Munitionn and apparrelling pertaining thairunto with the haill goodis and geir whilkis wer within the said ship vpon the xv day of Junij or thairby last bipast / To the effect the said Deputye Thesaurair may sell vfe and dispose vponn the said schip and goodis at his pleasour.⁸¹²

II. MASON TO SIR JOHN SCOTT.

AUGUST 31, 1617.

YET at length I am inforced to write being challenged to answere. I was purposed to have ben silent untill the opportunity of a better remembrance then a peece of paper had offered it selfe — albeit it is impossible so long as I know my selfe to forget my friends — but, as hufwives have many letts to good house wifry, frontletts, braceletts, partletts &c. — so have inletts, outletts, bayes, coves, &c. through their discovery ben so many obstacles and hinderances to my duty, devourers of tyme, not affoording me leifure to thinck of writing, the which once effected I shall affoord you a mapp thereof with a particuler relation of their feuerall parts, natures, and qualities. I am now a setting my foote into that path where I ended last to discover to the westward of this land, and for 2 months absence I have fitted myselfe with a small new gally of 15 tonnes and to rowe with 14 oares (having lost our former) we shall visite the naturalls of the country with whom I purpose to trade, and thereafter shall give you

a

⁸¹² The terms of this surrender are not specified. — DR. DAVID LAING.

a taft of the event, hoping that withall *Terra Nova* will produce *dona nova* to manifest our gratificacion — vntill which tyme I reft and fhall remayne

Tuus dum fuus

JHON MASON

Postscript —

Sir — I thank you for your paines and care about my patent of Rena and falters procuringe, the which as yet we are not refolved to imploy in regard we fetch it cheape out of Spayne and better for our turne. I pray you by the next advertize me of your eftate and how the bufines of the affise herryng goeth on, concernyng the which I have received a letter this fommer from M^r John Browne the Dukes fecretary, who hath promifed me a remembrance thereof (my due as I take it) and that I may know to whome in London to direct lettres or ought els to be conveighed vnto you. I defire further to be excused to my Lord's Grace of S^t Andrewes, Sir William Alexander, M^r Archebald Achefon, and the reft of my wellwillers, to whome with my hartieft acknowledgment of chiefeft duty I reft

My wife remembereth her felfe
to you and yours.

Idem JHOANNES MASON

From the plantacion of
Cuper's Cove in *Terra Nova*
vlt. Augufti 1617.

[*Adrefs, &c. in dorfo.*]

To the Right Worshippfull M^r Jhon Scott of Scottifterbatt in Scotland, Director
to His Majesties Court of Chancery their, at his house on the Cawfy of
Edenborough
deliver theis.

I defire Moyfes Slaney to repaire downe to Whitehall with this letter and to inquire for Sir Willyam Alexander Master of the Requests for Scotland, and to procure of him conveyance for this letter accordingly.

— Ex epist. doct. vir. ad Jo. Scott — *MS. Advocates' Library, Edinburgh*, p. 221.

III. COMMISSION

III. COMMISSION TO MASON AND BUSHELL.

MAY 29, 1620.

GRANT of a Commission from George, Duke of Buckingham, Lord Admiral &c &c. to the Treasurer & Company of the Colony of Newfoundland, to take up & press such ships with mariners, Soldiers, gunners, munitions of war, stores &c as may be necessary for the purpose of suppressing pirates and Sea Rovers, who interfere with the sea traffic, & plunder &c the merchant ships. That the ¹^d Treasurer & Company are to set forth in a voyage to Newfoundland the good ship Peter & Andrew of London of 320 tons burthen, Capt. John Mason, & W^m Bushell, master, with men, ordnance &c. for the purpose of taking such pirates or Sea Rovers & their ships, & to bring such ships into any of our ports, Creeks &c. And all Vice Admirals, Justices of the peace, Mayors, Sheriffs, Constables & Gaolers are to aid & assist the ¹^d Capt. John Mason, & W^m Bushell, & to carefully keep any pirates in prison as may be brought to them, until their trial to answer to Justice, & suffer the pains of the law for their piracies, or be acquitted thereof. And the said Company is authorized to take possession of such ships as may be captured, a moiety of their proceeds to go to the Admiralty & the other moiety to the said Company

Given in the High Court of Admiralty 29 May 17 K. James.
A.D. 1620.

— Dom. Eliz. 1590.

Admiralty. Eliz. James I. & Charles I. Vol. 237. ff. 30-32.

IV. MASON

IV. MASON TO NICHOLAS.

FEBRUARY 2, 1625-6.

SIR

It is now five weeks since my Arivall here p̄sentlie whervvpon I wrote vnto you concerninge a shipp of Salley called the Hart's desire or Good fortune ; of the burthen of 100 Tonns, nowe in S^t Yves in Cornwall which I tooke in Crookhaven in Ireland, and brought from there wth me, but by contrarye wyndes was put to leeward of the lands end. I have expected order from my Lo: Admirall touchinge her disposall but as yett have received none. wherfore once more I send inclosed The examinations of the Cap^t and master, also of an other of the companie relatinge the p̄cesss of their voyadge, Requestinge yo^r furtherance therin. That my Lords Grace would be pleased to give order for her appraisment And y^t I might have hir in leiwe of my payes dewe to me for this voyadge, repayinge the surplussage of monye that shall arise out of hir valuation. And this I requested for 3 causes. — The first as she is [*illegible*] to me then an other, by reason I tooke hir wth my shipp, no other man layinge clayme or title to hir, or makinge chalendge to hir. The second for that she was victualled & manned by me, and since her beinge at S^t Yves supplied a newe by my order, wherbye I am ingaged thorough a daylie chardge Runninge on ; the sooner which is ended the better. The last for y^t I shall ease the kinge of so much monye dew to me for my paye takinge hir as satisfaction. what my Lords pleasure shall be herin I shall attend ; Desiringe your favorable furtherance, wth a resolution by the first conveyhm^t And for yo^r Courtesie as it shall ingadge me in a strict obligation. So at my cōinge vpp to London, which shall be shortlie vppon the end of this besides ;

I shall not make a fruitles accompt ; but such a one as shall manifest my selfe.

Yo^r Trustie ffrend & servant

JHON MASON Comissarie Generall
for the victuallinge his ma^{ties} fleet
and Armye.

DARTMOUTH this
2th of febr : 1625.

[Addressed] To the right wo^rpfull Edward Nicholas, secretarie to the Duke of Buckingham his Grace.

[Endorfed] 2^o febr. 1625.
Capt. Mason concealing
the ship called y^e harts
desire or Good fortune
of Sally : wth y^e exalacons
w^{ch} proove her a
piralt.

— State Papers, in British Public Record Office. Domestic.
Charles I. Vol. XX. N^o 21.

V. MASON TO NICHOLAS.

APRIL 10, 1626.

S^r

I have searched amongst my papers for the examinations y^t concerne the pyratte of Salley, and fynde that I sent them to yo^r selfe from Plymouth inclosed in my letters ; whearbye it appeares that they committed pyracie after their libertie purchased by the death of the Turcks, as in y^t of Jhon ffransom delivered vppon oath before S^r Jhon Elliot which you have ; but y^t poynt would not be too farr pressed least it question them vppon their lives. howsoever my Lo: Admiralls Clayme to hir is iust for that she hath beine Continuallie Employed from Salley in pyracies theis 3 or 4 yeares, And
therefore

therefore M^r Wyen needs not make any scruple to proceed legallye to a condemnation. I am goinge this present daye into Hampshire wheare I shall remayne till ffrydaye next. in the Interim if anye busines fall wherin I maye have place, I shall desire yo^r favor so to be ranked and accommodated as I maye be enabled to doe his ma^{tie} & my Lo: that service which best suit to their Honors & my desires, which shall never be wantinge theirt^o; wth my best wishes for yo^r happines I rest

yo^r lovinge frind to serve you

JHON MASON

ffrom my lodginge in Westminster
this 10th Aprill 1626.

[Addressed] To my much Honored frind
M^r Edward Nicholis Secreta-
rye to my Lo: Duke of
Buckingham his Grace
At the signe of the Gate neire
the newe Exchange.

— State Papers, Domestic. Charles I. Vol. XXIV. N^o 57.

VI. MASON TO NICHOLAS.

APRIL 25, 1626.

S^r

The Kinge of Spaynes ould Confederates of Hamborough and subiectes of fflanders standinge so necessarilie in relation to him (that as for the poynt of munition and victualls he cannot want them. So for monye and other Commoditie of necessarie Consequence of Trade they cannot be deprived of him) if by occasion of warrs (as at present betwixt vs and Spayne) they be debarred of their ordinarye course thorough the narrow seas. They seek as of ould in Queene Elizabeths

ty me a paffadge towards Spayne, by the back partes of Scotland and Ireland in which Tract manye of them weare en fnares, and became a praye to the Earle of Orknaye, whose Castells and munition houses weare well furnished out of their Ruines, As I found in the furrender of the 1st Earles Cattle of Kircowaye 15 yeares fince beinge Employed by the late Kinge of famous memorye for service on those coastes. May it please you theirfore to intimate to his Grace, That if 4 sayle of men of warr, weare appoynted to wayte about the Ile of Sanda on the north part of the Orcades, and betwixt that & the back of the Hebrides, and 3 or 4 sayle more betwixt broad Haven and Cape Tellen on the Northwest of Ireland, and the like nomber about the Iles of Silley, To wayte vpon the outridds and Retournes of the Hamburgers and fflandrians on that fyde havinge induftrious Capt^s for Commanders and good pylottes. Their would be as good or better purchafe acquired as by waye of the narrow feas; fom prooffe wherin you have in the late prize taken on the northeaft coaft of Scotland by the Hector & Alæthia. Herin I am Confident & fhall by further demonstration out of my knowledge of all those partes fatisfye his Grace vpon warninge, whervnto I fhall give attendance wth all diligence.

Yo^r affured firind to ferve you

JHON MASON

APRILL 25th 1626.

[Addressed] To the Right worthfull Edward Nicholis
Secretarie to the Duke of Buckingham his Grace.

[Endorfed] Aprill 25th 1626.

Information for M^r Ed: Nicholis, touchinge imploymnt for Shippes
of warr about the Orcades, back of Ireland & Silley.

— State Papers, Domestic. Charles I. Vol. XXV. N^o 68.

VII. CERTIFICATE

VII. CERTIFICATE OF LORD WIMBLEDON.

MAY 25, 1626.

MY NOBLE LO:

It pleased yo' grace for the better ordering and dispose of the victualles amongst his Ma^{tes} fleete and Army in the late employment, to ordeine by yo' expresse Comission Cap^m Mafon, Comissarie generall to manadge the affaires thereof, wherein I have found him by experience both in point of honestie, abilitie and well deserving, so well to quitt himselfe; That I am induced to reco^mend him to yo' graces benigne favo^r, as a man well meriting the pay proper to his Office, and worthy of a better reward.

Your Graces most obliged

WIMBLEDON.

WIMBLEDON 25^o

Maij. 1626.

Lo: Generall.²¹⁸

[Endorfed] The lo: of Wimbeldons certificate
in behalfe of Capt. Mafon.

— Domestic. Charles I. Vol. XXVII. N^o 63.

VIII. MASON TO NORTON.

MAY 27, 1626.

M^r NORTON

You must repaire to S^r Tho. Love for a certificate when your ould victualls expired, which as he tould me was the 20th of Aprill, and then you shall obtayne an estimate for the newe; which my Lo: Admiralls pleasure is, should be pportioned for 4 months, I

was

²¹⁸ The Duke of Buckingham.

was now wth S^r Allen Apſley and he tells me if you bringe that certificate M^r Burrell will be at the Tower this forenoone, wth a Generall estimate for the fleet wherin ours ſhall be included, I praye preſs it what you maye, for I have a letter from M^r Tooke who I am aſſured went from Briſtoll for Ireland wth all his companie on mondaye laſt.

Yo^r lo: friend

JHON MASON

MAY 27th 1626

[Not endorſed.]

— State Papers, Domeſtic. Charles I. Vol. XXVII. N^o 75.

IX. MASON TO NICHOLAS.

SEPTEMBER 15, 1626.

S^r

By the Incloſed you ſhall perceive the eſtate of the Reformation and our proceedings in hir affayres, which I ſhall intreat you at your beſt leiſure acquaint my Lo: wth; and ſend it thereafter to M^r Secrettarye Coke and the Commiſſioners. I arived at Yoghall the 20th of the laſt month beinge Sondaye, and Journyed to Kinſale the daye following & forthwth ſent awaye his Graces letter to Cap^t Harris to Corck which he received the 23th. We ſhall be reddye about the 22th of this inſtant to depart hence & well victualled till the 20th of November. Vppon our firſt arrivall in the Narrow ſeas I ſhall adviſe you, and attend any further ſervice y^t his Grace ſhall require. We have no newes of anye Pyratts on this Coaſt; our laſt voyadges Dutch viceadmirall is heir to take in 140 Tonns of pepper left at Yoghall by a Daniſh Eaſt India ſhipp, to be transported to the Streights. I ſhall deſyre your Remembrance of my reſpective dewtie & devoted ſervice in the moſt ſubmiſſive & humbleſt manner to his Grace. my heartie love & beſt wiſhes to yourſelfe & M^r Robert Maſon; And to be Ranked amongſt the number of your true friends vppon anye of
whome

whome their is not a greater Tye of service then my selfe, which I
shall alwayes acknowledge and reft

Yo' vnfayned lo: ffrind

To serue you.

ffrom aboard his ma^{ties} Shipp
the Reformation in Kinfale
this 15th September 1626.

JHON MASON.

post scriptum

I cannot learne any thinge of Cap^t ffoggs beinge on the Coast since
his first departure from hence. Cap^t Harris remaynes still at Corck.
but is purposed to goe to Yoghall to take in the Ladye Villers and
to transport hir for England.

[Addressed] To the Right worshippfull Edward
Nicholis, Esquier, Secretarie
to my Lord the Duke of
Buckingham his Grace.

— State Papers, Domestic. Charles I. Vol. XXXV. N^o 85.

X. MASON TO NICHOLAS.

JANUARY 19, 1626-7.

S^r

The great quantities of Ice which hath lyen all this weeke both
wthin the dock, and wthout, betwixt the shippes and the shoare, not per-
mittinge a boat to pafs to & fro; hath so hindred that we could not
effect anye thinge, save onelye to make preparation against the break-
inge vpp of the weather; which is now begun. god continew it; I
fynde all things so Ruined heir, done on purpose as I am informed
for the perticular ends of som, who (as I am tould) would have well
gratified me to lett them so continew. That it will cost much labor
to rectifie them for the present occasion, & much more heirafter, if
his ma^{tie} shall be pleased to continew the vse of this dock; which is
so

fo much recommended to the Lords Commiffioners by the fhipwrights, that I thinke their will be a neceffitie in the preferving theirow; And heir is no man to take care theirow, nor to husband the Kings bufines belonging theirow, wherefore if it fhall pleafe you move my Lord Duke that it maye be committed to my truft, onely for fuch reward as the Lords commiffioners fhall thinke me worthy of, ether for repayinge the remaynes of the worck after this I have vndertaken to be done, or for the Clarcks office of keepinge the houfes, yard, & dock; or for both coniunctlie; I fhall reft thankful to you revera, and fhall studie to merritt my Lords favor to the vttermoft of my power; And if the woman, the wife of Cap^t Lidgier y^t now lives in it have anye intrefte, I will compound for it wth them; And thus wth the recommendation of my heartie love I reft

Yo^r Lo: frind vnfayned

To ferve you.

JHON MASON.

WOOLLWICH this 19th of
Januarye 1626.

[Addreffed] To the Right worthfull
Edward Nicholis Efquier
Secretarie to my Lord
the Duke of Buckingham
his Grace.

— State Papers, Domestic. Charles I. Vol. L. N^o 37.

XI. MASON TO BOSWELL.

MARCH 7, 1626-7.

S^r

I am a futor to the Lords Commiffioners of the Navie for a difpenfation concerninge the Journey Impofed vppon me to Bristoll; ffor nether will the fouldiers heir attendinge for paye condifcend to quitt me, their payemafter; Neyther can I acquitt my felfe from my vnder-
takings

takings to their vse; Especiall ye their beinge a present assignement from his Grace of 1200^l to be distributed by me amongst them; besides 1000^l more I have alreddye received for their dispatch to their quarters. This maye serve for an Apologie in excuse of my selfe And I knowe I shall doe his ma^{ties} as good service in Riddinge White Hall, of theis my associatts; as by a Journey to Bristoll for surveigh, for wiche purpose their is many more able then my selfe, if they be rightly culled

Yo^r assured lo: friend to serve you :

JHON MASON.

LONDON this 7th Martij
1626.

[Addressed] To my worthy friend
M^r Bofwell ²¹⁴ on of
the clerks of his ma^{ties}
most Hono^{ble} privie
Councill.

— State Papers, Domestic. Charles I. Vol. LVI. N^o 64.

XII. MASON TO NICHOLAS.

APRIL 24, 1627.

S^r

Comparinge the great chardge of this Armye wth the smale and slack supplies to mayntaine the same and they not obtayned wthout much sollicitinge, and a troublesome passadge thorough the offices of the Excheq^r; besides the paynes and hazard in conveyinge of monyes hither from London. we thought good to acquaynt you wth a proposition made by some of the merchantes of this towne, which if my lord be pleased to imbrace, maye bringe vnto our Treas^{ury} a littell helpe; & ease vs of som part of our present care. And this
it

²¹⁴ William Bofwell, Clerk of the Privy Council.

it is ; Their are 10 or 12 ffrench barkes wth wyne at Portfmouth most of whose mariners are Runn awaye ; And it will not onely be a matter of difficultie to man them a new, to transport the wyne to London ; but the chardge therof will be equall to the third part of the valew of the goods ; befyleds the hazard by reison of Dunkerckers in the waye, and a daylie leackedge & decayinge which that commoditie is subiect vnto ; And heir are verye sufficient merchantes that will take 3 or 4 barkes ladinge at as highe or rather a higher rate consideringe the chardges thither then the wyne will yeeld at London, payinge reddye monye theirfore ; and will fetch them from Portfmouth hither at their owne chard[ges] and will satisfye all other dewties to the Kinge. and the barke[s] beinge discharged maye be new Trymmed speedilie at this towne if my lord shall so please, to attend his ma^{ties} service wth the ffleet, in which Imployment I thinke their maye be mad[e] good vse of som of them. Maye you be pleased theirfore S^r to move his Grace heirin if you thinke it feazible, And that a warrant be sent hither for the valuation & sale of the wyne of those barks that laded in the River of Nantes or Conyack, which are wyne fittinge for this markett. And whearin I maye serve his Grace or your selfe I shall be reddye, as your directions shall leade me ; and the merchantes have desired me to ingadge for their partes to you for a thankfull Remembrance : And so for present I take leave & rest

Yo^r assured lo: ffriind to serve you

JHON MASON

SOUTHAMPTON this
24th of Aprill 1627.

[Addressed] To my worthy ffriind M^r
Edward Nicholis Esquier
Secretarye to the Duke
of Buckingham his
Grace, my
noble lord.

— State Papers, Domestic. Charles I. Vol. LXI. N^o 24.

XIII. MASON

XIII. MASON TO THE PRIVY COUNCIL.

MAY 1, 1627.

RIGHT HONORABLE

I haue often desired, and twice haue propounded to y^e Boarde, that all y^e Accompts Concerning payments made either by Billet, or money, or Clothes, to any officers of the Armie from y^e highest, to those of y^e lowest degree viz^t Corporals and Drummes; might be brought together; that so it might appeare what every one hath Receiued, and what his Ma^{ty} is further indebted vnto them; And I am perswaded when this is done it will be founde that a small somme will put them all vpon one foote, And a farr lesse then is generally conceiued, will discharge the whole Arrere; w^{ch} were a good worke; for it would remoue the daylie Clamours of those that hang about y^e Courte, and fill your Eares wth Supplications for moneys, vnder pretence of great debts resting due to y^m from y^e King; Also y^e Kinges honour wilbe thereby preserved from y^e Censure of y^e world wherein it suffers through y^e euill Reportes of y^e Malignant. And a great benefitt will redounde to me by avoiding y^e Intricacie w^{ch} otherwise my Accompts wilbe subiect vnto; besides y^e Contentm^t it will bring to all y^e officers. To this end it were requisite that y^e Accompts of M^r Beare (now going to Denmarke) were seene, Also all y^e Accomptes of Devonshier, and the five Counties, where they are now or lately haue beene bilited; whereof one viz^t Dorsetshire (since my paym^{tes} made to the 22 Capt^s there of five Monthes pay,) haue sent me Notice of one thousand Markes disbursed to y^e Capt^s and their officers in money & Dyett: Also moneys were paid in Ireland by S^r Thomas Loue and my selfe, and by y^e late Lord Prefident of Munster, after our comming from thence, And here at home 80 pounds to two that I knowe of; out of y^e Exchequer, by way of Reward for their Journey hither; whereas I knowe, the service done, was more to themselues, then to the King. & Diverse others haue had favours done to them whereby they haue receiued benefittes equall to great payments: Againe some that I

haue paid here in South Hampton and Portsmouth neglect to Discipline their companies, and runne to London, as I am informed, and trouble my Lo : Duke wth Petitions ; as if they had not Received at all ; My paynes I am willing to afforde herein, out of my desier to doe his Ma^{ties} service ; such fruite whereof I doubt not but will re-
 rounde to all parties interessed, as shall giue Content : and enable me to do the Duety which concernes my office with encouragem^t as becometh

Yo^r Honno^r humble servant JHON MASON

Postscripted

I beseech your honnours that y^e 2000. *li.* ordered on Sunday last for y^e Suffex Capt^s, And y^e 600 *li.* for y^e Dorset-Troopes ; for hose, shoes, and a weekes Conduet money : With y^e 3000 *li.* resting vpon y^e last Privie Seale, towards paying the growe-ing intertaynment for y^e Month to come (for all w^{ch} Sommes I haue left Acquittances to y^e Exchequer,) may be speedily sent to me to Portsmouth ; wth a strong Guard, and then I suppose I shall not trouble y^e Boarde with request for any more moneys till the Shiping of y^e men.

CHICHESTER Maye j^o 1627.

[Addressed] To y^e Right honorable y^e Lords
 of his Ma^{ties} most hono^{ble}
 Priue Councill.

— State Papers, Domestic. Charles I. Vol. LXII. N^o 3.

XIV. MASON TO NICHOLAS.

MAY 1, 1627.

S^r

The two greatest partes now to be acted vpon y^e Stage of this Empire is expected from y^e Nauye, and from y^e Armye The performance whereof rests much in that encouragem^t w^{ch} must be given to either parte by a Due and orderly payment of y^e Mariners and souldiers : The former haue beene reasonable well dealt with, fo
 that

that they haue no great caufe to Complayne. The latter are now to receiue fatisfaction: w^{ch} being made, wee may iuftly proceed, to punifh thofe offences and Neglects in them & their officers, w^{ch} hitherto we haue beene enforced to Conniue at by reafon of their flowe & difordered paym^t: w^{ch} to reforme I haue written this day a letter to y^e Lords of y^e Councell per inclofure to M^r Secretary Coke y^e Coppy whereof (leaft my Lo: Duke fhould be abfent from y^e Boarde when it is prefented) I fend y^e herewth: ³¹⁵ Defiering y^e either to fhewe it wth thefe lynes to his Grace or to reprefent the fubftance thereof wth my humble Duty in y^e beft Manner you may, I fhall not fayle to fend to y^e a Lyft of fuch as I haue p^d. And defier y^e to fende mee the Lift for y^e Payes of y^e Officers of y^e Armye, lately fubfcribed by y^e Lords; wth his Graces direftions to that point; whether I fhall proceed prefently or noe to pay according to y^e fame: His Graces laft Queftion to me, was what I had done for S^r George Blundell my Anfwer was that I had payd him about 30 days fince 269^l; forgetting to let his grace knowe that S^r Thomas Loue had payd him aboute 200^l more befides 112^l now to be payed him and his fonne out of y^e moneys appointed for y^e Suffex Captaines for their parts as they haue each of them a Company, beeing for foue months pay; befides he Challengeth for the Lieutenantt Collonels paye due to him amongft the Arreres; at 10^s a day from y^e beginning of y^e Voyage; Thefe things you may be pleafed to acquaint my Lord wth. And fo I take my leaue and reft

Yo^r affured loving frend to ferue you

CHICHESTER this
firft of May 1627.

JHON MASON.

[Addreffed] To y^e right worp^d Edward
Nicholis Efquier Secre-
tary to y^e Duke of Buck-
ingham his grace
my Noble Lord.

— State Papers, Domestic. Charles I. Vol. LXII. N^o 9.

XV. MASON

³¹⁵ A copy of the preceding letter Council, May 1, 1627, is enclosed with of Capt. John Maſon to the Privy this.

XV. MASON TO THE DUKE OF
BUCKINGHAM.

MAY 3, 1627.

MAY IT PLEASE YO^r GRACE

I haue this day made payment of fīue Moneths Paye to all y^r Suffex Capt^s, and their officers, as well those that stand, as the Reduced; And haue put y^r Captaines for themselves and their Souldiers, ten daies aforehand, for their Paye; and haue satisfied y^r officers a weeks Arrere due from y^r Countrey: And am going to Portsmouth and to Southampton to discharge y^r Souldiers Billets, for w^{ch} I stand engaged in those partes, And to enable y^m, (as I haue done to these here) that they may be all alike for y^r tyme to come, from weeke, to weeke. So that, if y^r Arrers of y^r officers for y^r tyme past, were all ballanced, and put vpon one foot, either for y^r whole, resting due to them, (w^{ch} wilbe done with a far less Somme then is conceiued in y^r opinion of y^r World) or but in parte, and so that they were all made equall with him that hath receiued y^r greatest Somme; his Ma^{ty} and your Grace, would finde much quietness, in being eased of y^r dayly Clamo^r of y^r ruder sorte of y^m, and take a far greater pleasure, in the affayres of this Armye; which (as I haue made Computacion) will arise to y^r Number of 4500 men of y^r 50 Companies, at 90 to a Companye includeing y^r officers proper therevnto; besides the Coronels, & all y^r Officers of y^r feild; and officers of your Graces Trayne, and Trayne of Artillery; who are by y^r Artillery List 208 men; w^{ch} will growe to about 5000 men: My suite is, that your Grace would take into Consideracion, what moneys shalbe requisite for y^r GRANDE STOCKE for y^r Voyage; and to provide y^r same in due tyme; The Medium of y^r Paye for y^r souldier, drawne from y^r whole Summe, arising from y^r Number of 90 (includeing y^r officers meanes) is 22^s 10^d a Month: per Man, one with another, making

5250^l

5250^l besides y^e Paye for y^e Trayne of Artillery, y^e Collonells & Officers of y^e feild: So that I cannot gueſs y^e Charge of y^e Armye to be leſs then 6000^l a Month, beſides many Contingent Charges that I cannot now ſtand to bring to Accompt. I beſeech your Grace to diſpeede away thoſe moneys, for w^{ch} I haue left to y^e Exchequer Acquittances, wth your Graces Secretary, Maſon; with whom alſo I haue left inſtructions to every point: That ſo I may be enabled to goe on wth this Taſke begun, leaſt otherwiſe, wee breake here for lack of Money, or Credit; w^{thout} w^{ch} there is no life in theſe Actions: I ſhall labour to cheriſh them to my Power, according to y^e truſt committed to my Charge, refering my ſelfe in all points, to your Directions, and Commands, as one that thinketh himſelfe to haue obtayned great favour by being reckoned in y^e Catalogue of

Yo^r Graces ſervants

JHON MASON.

CHICHESTER Maye 3th
1627.

[Addreſſed] To his Excellency y^e Duke
of Buckingham his grace
my Noble Lord.

— State Papers, Domeſtic. Charles I. Vol. LXII. N^o 27.

XVI. MASON TO NICHOLAS.

MAY 7, 1627.

S^r

I ſuppoſe erre this that our 5600^l which I left acquittances for, is vpon the way ſome miles one this ſide the Excheq^r, and therefore forbear to trouble his Grace, or the Lo^d Treafuror wth anie ſupplications thereabout; And yett our neceſſities are ſuch by reaſon of the lowe ebb of our laſt monyes that the troopes lodged at Southampton and Wincheſter are ready to breake wth whom I am behinde but
for

for one weeke and 3 or 4 dayes: such a number of needie Capt^t wee haue that Cannot supplie their companies wth monies for 7 or 8 daies, w^{ch} in Case were full to the number of 90 men, officers and all; is paied wth 25^l 8^s and 10^d when it is a Common thinge in the lowe Countries for a Cap^t to disburse 200^l or 300^l yea oftentimes much more for the vse of his Companie till the States pay Comes in: I haue paied all the Suffex Capt^t their 5 monthes pay as I wrote you formerlie and haue Cleared all their debtes for billet monies here and haue put Chichester, Hauant, Portesmouth, and Pharam aforehand till the 13th of this moneth, that so I might haue libertie to go to Southampton and Winchester to satisfie them the arrere behinde, least they should rebell w^{ch} they are very apt to doe as you maye perceiue by the inclosed w^{ch} came from them but this morninge; And now I haue but 100^l left w^{ch} is not *digitus ad solem* in respect of the monies dewe to dischardge the debtes behinde, and daylie disburfm^{ts} required for this Armie, w^{ch} wth the late newe pressed men sent in is about 4500 men; and here is not a pennie of the Loanes to be had, wherfore Good S^r if the monie be not Come away hast it wth all speed to Southampton where I will attend it, wth such his Graces Commaunds and directions as shalbe imposed. I haue paied ould Cap^t Hiegham 25^l 4^s for 6 monthes pay as he was quaterm^t to S^r W^m S^r Legers Regim^t for w^{ch} I want his Graces warrant that he must procure as also for such further somes as he shall haue hereafter, your Lodginge is reddie at Cap^t Towerfonnes and another at the Queenes head for my Cozen Mason to whom I pray you Commend me and thus for present I take leaue and rest

Your very louing freind

to serue you

PORTSMOUTH this 7th of Maye
1627.

JHON MASON.

[Addressed] To the right Worth Edward Nicolas Esquier.

— State Papers, Domestic. Charles I. Vol. LXII. N^o 70.

XVII. MASON TO THE DUKE OF
BUCKINGHAM.

MAY 27, 1627.

YOUR EXCELLENCIE

May be pleased to giue leaue to this Apologie as A defence for that which might be obiected against my present suit for more money for the Armie ; w^{ch} beinge increased by a new addition of 2000 ffoote and a troope of horse semblable increaseth the Chardge ; which wth the former 50 Companies and their severall officers and the principall officers of the feild and Regiments (who expect now hence forwardes a Constant *weekelie pay* for attendance on their Chardge) will drawe vpp as neare as I Can guesse (not being Certaine of the rates for the horse nor their number) *to the somme of Two thousand two hundred and fiftie poundes besides the Traine of Artillerie.* And this paie must be w^{thout} faile, otherwise mutinie, and disbandinge will followe, w^{ch} was hardlie prevented in S^r John Burghs Regiment at Winchester by reason of Eight weekes areare to the pore billiters of that Towne cheiflie caused by the default of Barksheire Loanes not supplied ; by this meanes their Accompts were become so intricate that it cost me 3 daies to Cleare them, which Cleared me of one thousand fower hundred poundes of the last monie I receaued, beinge so much weakened thereby as amountes to a weekes pay throughout the five Regiments : This whipp driues me to haue recourse to Your Grace for a present supplie seeing my stock is exhausted, and my next pay day beginnes the second of June, the period of three weekes time paid out of the last monies. And as Concerninge the Areares of the officers of the Armie for which Ten thousand poundes is ordered I would wth your Graces likinge and his Ma^{ties} approbation (vppon paiement of the same) propound to all the officers a Reasonable Composition

position for the remayner of the Kinges debt, in my owne name and as my owne vndertakinge, w^{ch} will no waies ingadge the Kinges honor, and no doubt but they will accept thereof if there may be monie in hand to performe wth them : And this Accomplished such as are superfluous and vnworthie may be Cashered, and onlie the ablest and most necessarie kept in Imployment whereby the King will saue a great part of the Chardge his Ma^{tie} is now at, and the Court (now pestered and your Graces eares daylie filled wth petitions) wilbe quieted : Yett againe I reiterate my humble suite that your Grace would be pleased to settle vs a Constant pay for the Armie out of the Excheq^r or otherwise, and that we may haue alwaies at least a monthes pay afore hand, that I may not be thus Continuallie troubled wth postinge vpp and downe weeklie to sollicit for monies ; w^{ch} before they are obtained and can be transported to the seuerall Garrisons the time is spent for which they were oweinge, and the debt growne so vrgent of satisfaction that will admitt no dispute, but enforce a speedie Retourne to London to sollicit for more monie w^{ch} houlds me not onlie in a Continuall toyle some agitation of bodie causinge such expences therewth as Consumes all my meanes but makes the world conceaue an euill opinion of his Ma^{ties} vndertakinge ; rayninge scrupulous doubtes as if this Armie could not a month to an end subsist by reason of such poore supplies. I am ashamed thus to trouble your Grace and the Lords but necessitie exceeds both the boundes of law and modestie and Constraines me to make the endinge of one suit the beginninge of another. And what monies from time to time shalbe by the Lordes to this end and purpose ordered may be charged to a Priuie Seale dormant in S^r Robert Pyes office of february date 1625 Cariinge tearmes for sommes infinite, and the monies may be sent downe wth a guard by the handes of a Tellors Clarke to whom I shall giue acquittances authentick ; for I may not be absent from hence in regard to the daylie disbursements to each Regiment once a weeke ; besides many Contingent Chardges vnexpected which falls vppon me by acceffe of new prest men. these
things

things I submitt to your Graces graue Consideration, and providence,
and shall euer Remaine

Your Graces most humbly
deuoted seruant

JHON MASON.

PORTSMOUTH this 27th of
Maye 1627.

[Addressed] To his Excellencie the
Duke of Buckingham
his Grace
my noble Lord.

— State Papers, Domestic. Charles I. Vol. LXIV. N^o 75.

XVIII. ELLZEY TO MASON.

JUNE 18, 1627.

SIR

Your letter dated this daye at Portfmouth, I receued this euening
a bout fwe of the Clock and presently haue informed my selfe what
shippes and barks ar now wthin this porte, (w^{ch} I find to
bee) fwe french Barkes the biggest of them is a bout :
60 : tonns the other fower from : 30 : to : 40 : tonns ;
3 : west Cuntrye Barkes two of them patelye laden
wth timber and hoopes of small burthen belonging to
low and swanidg the other of falkomb a bout : 40 : tonn
all three Einglish bwylte and the last mentioned lyght,
three shippes in his Ma^{ty} : present seruice, feuen small
barkes of the Islands of Jarzye and Garnzye, fower of
them hath his Graces discharg to repayre home, the
other : 3 : ar allsoe laden, a shipp Called the Plantation
about : 140 : tonns latly Coffi from Virginea w^{ch} hath
tobacko vppon hir not yet discharged Einglishe bwilte

5 french Barkes
y^e biggest of
60^T the other 4
from 30 to 40.
3 West Country
Barks one of
40^T light.
3 Ships in his
Ma^{ty}es presente
service.
7 small Barkes
of Jerfay and
Gurnsay.
1 Ship called
y^e Plantation
140^T

1 English ship another Einglish shipp of : 200 : tonns Called the Plowgh
 200^T called y^e bound for Saynt Christophers w^{ch} is halfe laden and a
 Plough small Barke of : 40 : tonns Caled the Christopher not fitt
 1 small Bark for seruice and these ar all at this present w^{thin} the port,
 called y^e Chrif- I purpose to bee there tomorrow to atend my Lord
 topher 40 Tunns Duks Grace when god willinge I will see yo and relate
 more of this bwines at large, so I take my leaue Restinge :

Yo^{rs} to bee Commanded

SOUTHAMPTON this
 18th of June 1627.

JOHN ELLZEY

[Addressed] To the wor^d Cap^t John
 Mason Treasorer of
 his Ma^{ties} Armye
 giue these
 in Portsmouth.

— State Papers, Domestic. Charles I. Vol. LXVII. N^o 56.

XIX. WATTS AND MASON TO GRAY.

OCTOBER 11, 1627.

S^r

Beinge appointed by the directions of the Lord Generall, to take an accompte of the Gunners remaynes of powder aboard such ships of the ffeete as are at present and to be contynued in the service, Wee havinge taken particular notice of the defects of theise ships herevnder written, Doe Certefie or oppynions concerninge the proportions w^{ch} wee hould fittinge to be deliuered them, as followeth :

To the Gunner of the Tryumphe	25 barrells
The Nonefuch	20
Sufan & Ellen	06
Sara bonadventure	08
Ann speedwell	04
Jofias	03

Reporte

Reporte	04	barrells
Hope	04	
Elizabeth	06	
Redd Cañell	04	
Sara of London	05	
Jewell & George	06	
Returne of Woodbridge	02	
Mary Magdalen	08	
Jone	04	
Mary & Jone	04	
Mary of Ipsw th	05	
ffrancis	05	
Richard	10	
Recoverie	03	
Repulse	30	
John of Leeth	03	
Abraham	07	
Resolution	06	
Convert	07	
Victorie	32	
Confidence	06	

27 shippes

227

Rest 462^c¹¹⁶

These are all the ships from w^{ch} as yett wee haue receiued an accompt of their remaynes, The rest as they are brought in, wee shall advise y^r of in the meane tyme y^r may be pleased to giue warrant for the issuinge out of your store these particulers to the Gunners as they shall call for them So wee rest

Yo^r lovinge ffriends

JHON WATTS

JHON MASON

ffrom aboard the Tryumphe the 11th of October 1627

To Sr Andrew Graye

Ma^r of the Ordinance.

— State Papers, Domestic. Charles I. Vol. LXXXI. N^o 16.

XX. NICHOLAS

¹¹⁶ This is added in another hand. — COPYIST.

XX. NICHOLAS TO MASON.

OCTOBER 18, 1627.

GOOD M^r MASON

Your lre of the first of this moneth did much amaze me, his ma^{ty} vnderstanding I rec. a lre sent for it, and was infinitely troubled to see it and that from my lo: to my lo: of Holland, and none knew what to hope for, but that S^r William Beecher was not arrived when you wrote, and that he came to you wthin 10: Dayes lymitted by my lo: ; for neither of your lres come to me nor that from my lo: to the E. of Holland did mencione any thing at all whether S^r William were arrived or noe. Your messengers sent hither haue bene partly in fault that you haue not more tymely rec. supplyes, for till M^r Asibi came none euer said the army was in want of victualls but that you had good marketts and plenty both of men and money. And we suppose here the state of the fletee and army for point of victualls to be: That both the fletee and Army had victualls compleate till the 20th of 8ber excepting only beere for the landmen, then the supplyes sent by S^r William Beecher, being victuall for 4500 Seamen for 2 monethes & halfe, will serue for 9000 men for 5 weekes And if this be arrived then we hope you are not in that extremity to abandon the siege, and thoughte my lo: hath written thus to my lo: of Holl:, wth I heare hath bene the cause he hath bene hastened away wth the vic^t and to leaue the soldiers behind him, yet since my lo: hath not given to the King, anie accompt of the extremity he is in, or of his reason of his resolucion to abandon the siege, it is here hoped his grace hath written thus earnestly only to hasten away the supplyes expected wth my lo: of Holl: whereof althoughe there hath not bene that timely care, dispatch & expedition as hath bene requisite, yet for neere this moneth it hath bene only want of winde that hath hindered
the

the arriual of the supplies now sent to you. I protest there was nothing that euer troubled me like to your t're and newes. And I beseech the lo: of Heaven to send this letter from [*sic*]⁸¹⁷ you. I shall languish till I heare from you, and do wish that if my lo: of Hott doe finde you at S' Martins that my lo: would come home shortly after it. I pray lett my [me] know how my lo: likes my bold writing in my hasty t'res & see it burnt. I write hast doubting the messenger wilbe gone before this come to Plym:

18^o 8bris 1627.

— State Papers, Domestic. Charles I. Vol. CCXIX. p. 59.
("Nicholas's Letter Book," referred to at Vol. LXXXII.
N^o 20.)

XXI. MASON TO BUCKINGHAM.

DECEMBER 2, 1627.

MAY IT PLEASE YOUR EXCELLENCY

Of y^e Number and Estate of y^e ffeete here, as also of y^e landing and Billetting of y^e Souldiers to y^e Number of 1300 men; Intimacion hath beene made by S^r John Watts, & S^r W^m Beecher.

It is my parte now, to acquaint your grace, how farr we haue proceeded, in executing y^e rest of your Directions left wth vs.

And first, touching y^e Search, and Collecting, of his Ma^{ties} scattered Armes, I haue Rec^d. into my howse from these Shipps here, at y^e Rates your Grace proposed, Musketts : Pikes, Swords, & Corfletts sufficient to arme 120 men ; whereof diuers are out of Repaire, & therefore most fitt to be sent to the Tower to be Exchanged for better.

I haue deliuered likewise to 324 Sick Mariners of y^e ffeete Moneys, for ten daies fresh Victualls, at vj^d a man ; w^{ch} y^e Deputye Victualler refuseing

⁸¹⁷ Quære, read "to." — COPYIST.

refusing, was imposed vpon mee by my Lo: of Holland, whose Care for y^e said sick Mariners I cannot sufficiently expresse : They are most of them Billeted on Shore, and it saues the Expence of so much Salte Victualls at y^e Rate of 8^d *per diem* y^e Kings allowance for each man. The Shippes are safe albeit y^e Storme did put some of y^m on shore vpon y^e Oaze wherein y^e Difference of y^e Commodiousness of this Porte is easily discerned and approued before that of Plymmouth whose ground is Rocks & dangerous for Shippes as now wee haue found in the late los of those of our flete.

furthermore I haue deliuered to y^e 4 principall Chyrurgions sent by his Ma^{ties} Directions from London Moneys for y^e Charges of 120 Maymed and Sick Souldiers wth they Collect from y^e feuerall quarters to be carryed to S^t Thomas & S^t Bartholmews hospitalls in London, there to be kept till they be cured wthout any further Charge to his Ma^{ties}; for all wth matters as also for y^e Conduct of y^e Souldiers to their feuerall Quarters, wth fundrie other disburfmentes here, wee are behoulden to your Graces Remaynes of Moneys in my hands, wth are so neere exhausted, that wthout a Supply this next weeke we shall Breake.

It remaynes yet that vpon y^e Arrivall of our Plymmouth flete wth y^e Souldiers to come your Grace take these things to Consideracion.

That a generall Muster be made to examine the Strength of y^e Troopes wth were best to be reduced ; and superfluous officers discharged.

That in y^e Reducem^{ts} to be made it be considered of whether it be not fitt to discharge y^e whole Trayne of Artillerye Provoost Marshall generall and his men Chyrurgion generall and his servants ; seing there are particuler Provoost Marshalls and Chyrurgions to each Regim^t; Also the ten Chapplaynes, wth one of y^e Corporalls of y^e feilde, and an Enginier or two of all wth wilbe litle or noe vse, and their separation no hinderance to y^e Armye so long as it Continues in Garison. And now they Charge the King 150^{li} per weeke. These things

things I offer to your Graces wifdome submitting my felfe in all things
to your Commands as becometh

Yo^r Excellencies moft devoted fer[vant]

PORTSMOUTH

10^b 2^d 1627.

JOHN MASON.

[Addreffed] ffor his Excellencie
y^e Duke of Buckingham
his Grace my Noble
Lorde.

— State Papers, Domeftic. Charles I. Vol. LXXXVI. N^o 5.

XXII. MASON TO BUCKINGHAM.

DECEMBER 13, 1627.

MAY IT PLEASE YOUR EXCELLENCY :

So foone as I Receiued your Commande to Journey to Plymouth ; I forthth fett forward ; & arrived there on Saturday laft, findeing y^e ffractions of y^e divided Troopes, not wthout fome diftraction, by Reafon of y^e want of Commanders, and officers, to execute their dueties, required amongst discontented Souldiers, apte to Mutinye, wthout fevere Gouvernment. Of this Rancke, are a branch of y^e Trayne of Artillery ; and a remnant of y^e Troope of Horfe ; to both w^{ch} I haue given fome money for their Charges, and difmiſſed them from hence, to goe to their feuerall homes. The Dutch Shippes alfo, w^{ch} are here returned from Réz to y^e number of Seaven ; that brought fome Salte, I would perfwade S^r James Bagg, to difcharge, and paye their freight out of y^e Sale of y^e Salt, that fo his Ma^{ty} may be eafed of a further growing vnneceffary Charge, and your Grace taken of from a Clamour, w^{ch} otherwife, wilbe inevitable.

As touching y^e Remoueing of y^e Armye : The Commiſſioners haue appointed a meeting, on Munday next, at Taueſtock ; to expedite that, And I am preparing y^e way, by makeing ſatiſfaction to y^e Countrie, for y^e Souldiers Billetts, as alfo to y^e Officers, by ſome
Pay,

Pay, to enable them to Marche ; but y^e latter is not in such measure, as I intended : ffor, of y^e 5000^{li} Left in y^e Charge of my lo: of Holland : As also of y^e 4400^{li} of your Graces moneys, in y^e Custodie of Phineas Andrews ; I haue onely Receiued fower Thousand Two hundreth, Forty eight pounds fixteene shill^l six pence. The residue of y^e Moneys being formerlie deliuered by both y^e Cashiers to S^r James Bagg, vpon some request by him made to them therefore ; by reason whereof, I can neither giue such satisfaccion to y^e Officers here, as their Neecessities requiered, and was but fitting, in Respect of y^e Arrere due to y^m from y^e King ; Nor answer y^e expectation of those in Hampshier, who as yet haue had nothing, and ought to be equallised wth these here, as your Grace hath directed mee ; The Number of these here, will fall out to be aboue 4000 men But I shall send your Grace an exact Liste of all presently after y^e generall Muster w^{ch} shalbe made vpon y^e riseing of y^e Troopes : whose greatest defect consists in y^e want of Shirtes ; Shoes ; and stockings ; But I hope we shall prevayle wth y^e Countrie, to furnish y^m in each seuerall Quarter, vpon an assurance of Satisfaction from S^r James Bagg therefore.

The Marlyna French Barque brought home from La Flotte by m^r Crowe is ready to set sayle, and y^e Catharine (much out of repaire) shall follow, as soone as shee is fitted, to goe to Detforde, as your Grace directed ; I beseech your Grace to be mindfull of procuring Moneys for y^e Troopes ; otherwise all will fall from Order ; and my selfe must expect no better then a Purgatory ; if not a hellish incessant Torment ; I shall never sayle so long as I haue subsistence and being to performe those dueties of faith and honesty as shall become

Yo^r Excellencies most humbly devoted servant

PLYMOUTH this
13th of 10^{ber} 1627.

JOHN MASON.

[Addressed] For his Excellency
y^e Duke of Buckingham
his Grace
my Noble Lord.

— State Papers, Domestic. Charles I. Vol. LXXXVI. N^o 70.

XXIII. MASON

XXIII. MASON TO NICHOLAS.

DECEMBER 13, 1627.

WORTHY SIR

M^r Rolfe m^r of the Marlin (a ffrench barke brought from the Ile of Rez by M^r Crowe, which his Grace wrote for;) I have furnished wth victualls Roapes & some other necessaries for hir transportation to Dettford. The Katherin hir fellowe shall followe so soone as she can be fitted wth 2 anckers, cordage, and Trymminge which she wants. The great disaister amongst the fleet heir hath so deiected the harts of men and hyndred the preparations of the present expedition wth S^r Hen: Marvin, that I feare it will not take effect, & befydes the want of victualls to enable them for any tyme, The mariners are ready to mutinye for want of monyes. And yett I would have supposed that the late monyes delivered S^r James Bagg; viz 1500^{li} by his Grace before his departure from hence of his owne cash, wth 2000^{li} of the monyes vnder my Lo: of Hollands chardge Also since his Graces departure 1000^{li} of the last mentioned monyes, wth 2000^{li} more of his Graces monyes (both wthout order, and onlye obtayned by the perswasions of S^r Ja: vsed to M^r Sanderfon the Earle of Hollands servant & Phinees Andrews who had the keepinge of my lo: Dukes monyes both which weare as you knowe appoynted to me) should have beine sufficient to have stopped a great gapp in the present necessities of the Seamen, befydes all the salt heir aboard 9 Shippes Retourned from Rez worth 3000^{li} at least that he hath taken into his possession. So that I am putt to the worst end of the Staff as you shall perceiv[e] by the letter I send heirwth to his Grace; of whose sollicitation and carefull indeavor for Rayfinge of monyes to dischardge this chargeable incessant chardge had I not an assured confidence I would retire my selfe into Tefsets barren desarts, rather then induce the incessant clamors & mutinus behaviors of the distressed souldiers whom nothinge will satisfye but monye. I beseech

you

you Sir continew your mediation heirin for him who will not ceafe to
be your ffaythfull fervant :

JHON MASON.

PLYMOUTH this
13th 10^{br} 1627.

[Addressed] To the Right worhippfull
Edward Nicholis Esquire
Secretarie to the duke
of Buckingham
his Grace.

— State Papers, Domestic. Charles I. Vol. LXXXVI. N^o 74

XXIV. MASON TO BUCKINGHAM.

DECEMBER 20, 1627.

YOUR EXCELLENCY

By y^e inclosed⁸¹⁸ will perceiue y^e tymes and Order of y^e Ryfeing and
Marche of that parte of y^e Armye here ; w^{ch} I haue drawne for y^e
better Methode into a Table, pointing out also the broken Numbers of
y^e Olde Troopes vnder y^e feuerall Regim^{tes} and how much they haue
beene encreased by y^e Addition of the Re[c]ruits, makeing in y^e whole
fower Thousand fife hundreth 35 or thereabouts : But a more exact
Lifte of y^e Marching men shalbe sent your grace vpon y^e generall
Mufters to be made at their Rifeing ; w^{ch} y^e Corporalls of y^e feild are
appointed to execute. I haue fatisfyed the Country for y^e Soldiers
Billetts ; from y^e tyme of my coming hither vntill their Rifeing and for
fo much of y^e tyme before as was vnsatisfyed by S^r James Bagg, And
haue

⁸¹⁸ An abstract of the enclosure is
thus given in the *Calendar of State
Papers, Domestic, 1627-1628*, p. 474:
"Order of the Commissioners for the ris-
ing and march of the troops in Devon
and Cornwall (Tavistock, December 18,

1627). The strength of each regiment
is stated. That of Colonel Rich, 'whose
officers were all, save one, cut off,' is
joined to Colonel Morton's. The time
of march to their several destinations
is prescribed."

haue p^d the Officers three Weekes paye aforehand to enable them in their Marche ; besides almost as much of Arrere since their landing, by wth meanes the 4246th 16th and vj^d I onely Receiued in parte of 9400^{li} your grace assigned me of his Ma^{ties} and your owne moneys is so neare Exhausted that I shall not be able wth y^e Remaynder (being not aboute 500^{li}) to giue any satisfaction to those in y^e Isle of Wight and the other parts in Hamshier ; who rest vpon my Ingagem^t to y^m. Wherefore I beseech your grace to mediate wth his Ma^{ties} for a good somme of Moneys to be sent to Portsmouth as speedily as may be. That I may be enabled to paye y^e Arrerages, due from y^e tyme of y^e payments made at Rez wth y^e Debts to Hampshire, and to goe on wth an Orderly paym^t. It were too much boldnes in mee, to tie or Ly^mitt your Grace to suche a somme as is not to be answered at present, by reason of his Ma^{ties} Infinite occasions : But to giue your Grace some litle Light to Intercede for our present necessities I suppose you Cannot descend Lower in your proposition then for Twelue Thousand pounds. I will wayte vpon your Grace so speedily as I may, in expectation of some fruites hereof by your Gracious Mediation ; wth that it may haue a prosperouse effect, and that happyness may attend Your Grace in all your actions I shall not cease to pray as becometh

Yor Excellencies most devoted fervant

JHON MASON.

TAUDESTOCK Decemb^r 20th 1627.

[Addressed] For his Excellency
The Duke of Buckingham
his Grace.
my verye good Lord.

— State Papers, Domestic. Charles I. Vol. LXXXVII. N^o 12.

XXV. MASON TO BUCKINGHAM.

JANUARY 3, 1627-8.

MAY IT PLEASE YOUR EXCELLENCY

Since my Returne out of Devonshier haueing beene somewhat sicklie and thereby disabled from so speedy a Journey to London to wayte on your Grace as I intended ; yet that I might never pretermitt Tyme nor Occasion wherein I might doe service to his Ma^{ty} I am endeavouring of my selfe to doe that in parte w^{ch} sundery tymes w^{thin} these two yeares I haue propounded to y^e Commissioners of y^e Nauie. wth persuations to be put in practife by them more fully ; viz^t The purchasing y^e Earle of Southamptons woods for y^e supply of Tymber and Planck, a thing of y^e greatest difficultie amongst all y^e stores proper to his Ma^{ty}s Navie. And y^e rather those woods for that they lye so opportunely to furnish the Dock at Portsmouth, where as also at Plymth there is great want of that Commodity. Besides y^e generall Decay of Ship tymber throughout y^e kingdome doth no lesse then invite a Provident Servant to prevent y^e Inconvenience his Maister through y^e want thereof may be subject vnto ; Two thousand Trees of his Cheifest since our Journey into ffrence are fould for Barrell Boarde ; the best of that w^{ch} remaynes I would purchase and turne into Planke for Supply of Portsmouth Docke, to be afforded to his Ma^{ty}s workes at reasonable Rates. And likewise vndertake to builde some small Shipping vpon Reasonable Composition for his Ma^{ty} after y^e moule of y^e ffrench Pynnaces that your Grace tooke such liking of for their singular Sayling. If your Grace approue of my Indeavours and Purpose herein ; It shall encourage mee to that vndertakeing (albeit not w^{thout} y^e Envy of some) which will facilitate Shipbuilding to his Ma^{ty} wth Tryall of the different Mouldes more advantageous for Service by good Sayling then many formerlye built.

built. Thereby letting y^e World knowe, that all Art of this kinde is not so locked vp in one Mans brest, as if it were to perish with him selfe, but that his Ma^{tie} hath Choyse of Subjects to that Use, and amongst y^e rest, of a Servant of your owne, then whom, noe man is more bounde to advance y^e Honour of Your Excellencye, as becometh

Your Graces ever bounden servant

JHON MASON.

PORTSMOUTH y^e 3^d of
January 1627.

[No addrefs.]

— State Papers, Domestic. Charles I. Vol. XC. N^o 13.

XXVI. MASON TO NICHOLAS.

JANUARY 3, 1627-8.

NOBLE & WORTHIE FFRINDE

The inclosed for his Grace I have left vnclosed for your selfe to peruse, and accordinge to your discretion to be delivered or not, I knowe your zeale to his ma^{ties} service is such y^t you will further any good designe y^t maye tend simplie thei^rto, especiallie a thinge of that nature which maye advance the Navie & Admiraltie whearin a great part of my Lords Honour consists; I shall intreat as speedye an answer from you as maye be afforded, howe his Grace stands affected to my proposition; That I maye goe one or desist; M^r Brewer this bearer craves your favor & helpe to recover his shipp of salt S^r James Bagge hath made bould wth; I hope to be at London before the monye from the Citie be all disposed of, in the meane tyme M^r Eyres will solicit for whom I am bound to give yowe infinite thanks, And
will

will be reddy to deserve the continuance of your favor wth my continuall indeavor

To doe you fervice

JHON MASON.

The Katherine friggott comes
about to you, and out of a barren
voyadge affords you onlie a hogthead
of S^t Martin ; god send hir safe.

PORTSMOUTH this 3^d of Jan: 1627.

[Addressed] To y^e right worp^d Edw :
Nicholis Esquier
Secretary to his
Excellency y^e Duke
of Buckingham
his Grace.

London.

— State Papers, Domestic. Charles I. Vol. XCVI. N^o 14.

XXVII. MASON TO ROBERT MASON.

MARCH 20, 1627-8.

S^r

I would intreat your favorable assistance to M^r George Mason of Aer in Scotland, whose request is to have a warrant for 8 peeces of ordnance of minion weight, and that his Shipp and Companie which hath served the Kinge theis five months maye be discharged wthout anye further stopp or trouble. This I knowe falls wthin the Compa^s of your fellow Nicholis his office, wth whom I praye you for y^e name sake & honestie of this bearer vse your powerfull mediation.

Your lo: Cozen to serve you

JHON MASON.

[No addrefs.]

[Endorsed] 20^o Martij, 1627.

Cap. Jo: Mason.

— State Papers, Domestic. Charles I. Vol. XCVI. N^o 62.

XXVIII. MASON

XXVIII. MASON TO BUCKINGHAM.

JUNE 13, 1628.

MAY IT PLEASE YOUR EXCELLENCY

At the very instant that I receaved your letter this 12th of June, the Spye his Ma^{ties} Pynname arrived in this Harbour, having bin Eight Daies abroad at Sea over on the ffrrench Coast about Sherbrooke, where on Munday the Nynth, they mett with Seaven Sayle of Dunkerker, but sayled them out of fight in Three houres. And foe well her sayling is ymproved, with the cost I haue bestowed on her, that she hath stolen the hartes of her Cap^t & company, who preferr her before all others that ever they heard of, being an apt Spye aswell by Condicion as name. I shall obserue your Graces order concerning the delivery of her over to the Earle of Denbeigh, vppon an houres warning, but in regard this ymployment is foe pleasing vnto her Company, it were best in my opinion, not to lett them knowe (till the flect be ready) they shalbe diverted, leaft it divert them from her, and consequently from the Kings service. Her Cap^t Thomas Adams a proper Seaman, I am a fuitor to your Grace for, that he may contynue his Command, seeing the Spye and himself fuit foe well together. Your Graces lodging is prepared in my house here,³¹⁹

which

³¹⁹ A few months later, August 23, 1628, the Duke of Buckingham, to whom this letter is addressed, was assassinated, in this house, by John Felton, a lieutenant in the army, who had been superseded and deprived of his arrears of pay. In the *Obituary of Richard Smyth*, London, 1849, p. 1, under date of August 23, 1628, is this entry: "George, Duke of Buckingham, stabbed to death at Portsmouth in Capt. Mason's house by one John Felton." In the *Autobiography of Sir Simonds D'Ewes*, London, 1845, Vol. I. p. 381, we find under 1628 this

account of the assassination: "August the 23rd, being Saturday, the Duke having eaten his breakfast between eight and nine o'clock in the morning, in one Mr. Mason's house in Portsmouth, was then hastening away to the King who lay at Reſwick [Southwick, according to Clarendon], some five miles distant to have some speedy conference with him. Being come to the further part of the entry leading out of the parlour into the hall of the house, he had then some conference with Sir Thomas Frier, Knt., a colonel, and stooping down in taking his

which will not onely grace it & my self, but shall binde mee perpetually to remaine

Your Excellencies most humble
devoted servant

PORTSMOUTH June 13th

JOHN MASON.

[Addressed] ffor his Excellency the
Duke of Buckingham
his Grace.

— State Papers, Domestic. Charles I. Vol. CVII. N^o 21.

XXIX. MASON TO CONWAY.

AUGUST 9, 1628.

MAY IT PLEASE YOUR HONOR

I have Received an Advertifment from M^r Secrettarye Coke by Intimation from your Lo^{ps} That it is his Graces pleafure the Troopes be putt in all readines possible for their Imbarkment ; which is alreadye done one my part both for their conductinge from their fformer places of billett to their present quarters as neire the Rendevouz as may be convenientlie ; as also for their cloaths which are all heir in Portsmouth to the number of fflower Thowfand suites reddye to be distributed vppon their Imbarqueinge ; So that if it weare to morrowe to be done (which I could wish) we are Reddye ; but the principall verbe is wantinge viz. The Shippes which should Receive them that are to com from London, wth their Armes, and a great part of the victualls ;

his leave of him, John Felton, a gentleman, having watched his opportunity, thrust a long knife with a white haft he had secretly about him, with great strength and violence, into his breast, under his left pap, cutting the diaphragm and lungs and piercing the very

heart itself. The Duke having received the stroke, instantly clapping his right hand on his sword-hilt, cried out, 'God's wounds! the villain hath killed me.' Some report his last words otherwise, little differing for substance from these."

viſtualls ; But if your Lo^{ps} ſhall thinke good y^t we putt ſom of theiſ neare about Portſmouth, Southampton & Chicheſter one Shipboard preſentlye to make waye for the more Remote Regiments to com into their places neirer the water ſyde, that ſo they maye be better prepared for their more ſpeedye ſhippinge when the fleet y^t is to com from London ſhall arrive heir ; I ſhould thinke it a good ſervice both for the eaſe of the Countrey, & the haſtninge of the buſines ; And ſuch of the Ships heir as have their mariners payd, will be redde to Receive them their numbers beinge alreadye as I ſuppoſe proportioned by a liſt for ech Shipp, accordinge to hir capacitie to receive. And their cloaths by the aſſiſtance of the Sergeant Maior Generall maye be divided, & This is all I can thinke fittinge for the preſent to be done which I ſubmitt to your Honors more ſolid iudgement, deſiringe to be excuſed for not attendinge your Honor at preſent in regard of my continuall & inceſſant buſines about payment of the billett monyes ; I reſt.

Your Honors moſt humble devoted Servant

JHON MASON.

PORTSMOUTH 9th Auguſt 1628.

[Addreſſed] To the Right Honorable
the Lord Viſcount
Conwaye. my verye
good Lord.

— State Papers, Domeſtic. Charles I. Vol. CXII. N^o 59.

XXX. CONWAY TO MASON.

SEPTEMBER 9, 1628.

S^r

His Ma^{ty} is carefull of hauing thoſe ſoldiours that were left behinde the fleet for want of roome to receiue them, diſpoſed in ſome good and orderly courſe, that they may bee ready for another imployment,

And accordingly by his Ma^{ties} commandem^t I haue giuen order to the Deputie Lieutenants and Commiffioners for billiting them in some conuenient places, But becaufe the Countrey is allready fo much greeued with the late burthen of thofe great numbers that lay vpon them, and that the apprehenfion of a continuall charge by thefe mens beeing continued with them, may caufe difaffection and produce fome diforders, if the billit monnie bee not duly payd for thefe men for the time they fhall remaine here. His Ma^{ties} hath recommended it ferioufly to My lord Treafurer to prouide monnie for them, and hath commanded me to require you in his name that for the prefent you take fome courfe to giue them fatisfaction either by monnie or credit vntill the order may come from My Lo: Treafurer which I will haften with my beft follicitacion, and euer remaine to you

FARNHAM. Septemb^r 9.
1628.

[Endorfed] Farnham. 9. Septemb^r 1628.
L^d Vice Count Conwæy to Capt^r
Mafon.

— State Papers, Domestic. Charles I. Vol. CXVI. N^o 90^r

XXXI. MASON TO NICHOLAS.

MAY, 1629.

M^r EDWARD NICHOLIS

S^r Theis are the particulars of the goods now in the Custodie of Jacob Jhonfon which weare Recovered out of the fea nere the needles vppon the coaft of the Ile of Wight.

2360 peeces or Ryales of Eight Spanifh monyes.

5 peeces of ordnance about 2600^m a peice wherof M^r Newland hat[h] 3 peeces and 2 are at Portfmouth.

101 peeces

101 peeces of lead wherof M^r Newland hath 39 peeces, and 32 of the 1^d peeces are at Portsmouth and the rest are in Jacobs hoye.
9 anckers of an incertayne weight.

And this is all that Jacob doth acknowledge to have Recovered ;
he desires to have his part sett out of the whole ; what is in Portsmouth is in my keepinge ;

Yo^r ffrind & servant

JHON MASON.

[No addrefs.]

[Endorfed] R : 4^o Maij 1629.
Captaine Mafons note
concerning y^e money taken
vpp by Jacob the Diver.

— State Papers, Domestic. Charles I. Vol. CXLII. N^o 14.

XXXII. MASON TO NICHOLAS.

MAY 6, 1629.

WORTHYE S^r

Jacob (our supposed lost Diver) is Retourned, and Cometh to yowe wth Request That the monyes and other wrackt goods at Portsmouth maye be speedilie adiudged in the Admirall Court that so he maye have out his part which he seimeth to stand in need of ; And for that he purposeth to goe on speedilye wth his designe for Recoveringe the Remaynder of the lost monyes And other things at the Wight, and from thence to proceed to the Lizart or Cape of Cornwall whear he hopeth to doe som good ; his desire is that for strenghteninge him the better wth authoritie Requiste he maye have his Commiission Renued, wth such Clawfes & vppon such Conditions as maye be granted. I shall wayte vppon yowe on frydaye next to speake further

further concerninge theis matters ; In the meane while I shall Rest
now & alwayes

Yo^r most affectionate frind
to serve yowe

JHON MASON.

THISLEWORTH this 6th of Maye
1629.

[Addressed] To my worthy frind
Edward Nicholis Esquier
Secrettarye to the Right
Honorable The Lordes
Commissions for
the Admiraltie.

— State Papers, Domestick. Charles I. Vol. CXLII. N^o 26.

XXXIII. COUNCIL OF WAR TO MASON AND OTHERS.

JUNE 25, 1629.

AFTER our very hartly Commendacions. fforasmuch as there doth
not appeare any establisshement for the rates of Paye to the officers of
the Armie in the Voyage to Cales, nor the tyme from whence that
payem^t to the Souldiers should commence. Wee haue therefore or-
dered that noe mann be accompted with but such as shall produce a
Commissiion for his office, wherein the date of his entrance into Paye
may be seene, or in Case his Commissiion be lost, that then he bring a
sufficient testimony vnder the hand of his Colonell, & other superiour
Officers of his Regiment to satisfie that poynt. And that the Paye
to Quarter Masters, & Provost Marshalls in the Cales voyage be
made according to such rates as were allowed by the Councell of
Warr in the Petty Lifts framed after the retourne of that Voyage,
and for the residue of the Officers, that they be accompted with
according to the rates of the Kings Lift for the Voyage to Reez, or
Orders

Orders of the Board, or speciall Warrants of the Duke of Buckingham to that effect. And further that the monthes Paye intended as a gratuity in case any paye had been made only for Actuall Service, shall now goe vpon the Accompt of their Arriers betwixt the tyme of their first enterance into his Ma^{ties} service, & the 13th of November 1628, the daye of the Armies discharge. And it is also orderd that the Auditor, or Surveighour or Clerke of the Office of the Ordnance deliver vnto [you]⁸²⁰ the Auditors of the Imprests, or your Assistants or deputies seuerall Accompts of Charge for Armes imbeazeled, or Carelessly lost by any of the Captaynes or other Officers whom it may Concerne, that a deduccion may be made out of their Arriers for the same by the sayd Auditors. And also that the Surveighor generall of the Victualls doe likewise deliuer vnto you the sayd Auditors, your Assistants or deputies, Accompts of all such Victualls, as he Cann iustly Charge any of the sayd Officers wth during the sayd Voyages, that deduccion may be made thereof; And for other matters that may Concerne the Accompts of the sayd Officers you are to regulate your Selues according to his Ma^{ties} printed declaration; And to vse as much speed as may be to giue a dispatch therein for the better satisfaccion of the sayd Officers according to his Ma^{ties} gracious intent. And so wee bidd you very hartily farewell.

Your very louing friends

[No signatures.]

[Addressed] S^r Richard Sutton, & } Knights, Auditors
S^r Ralph ffreeman } of the Imprests.
And their Deputies.
Cap^{ne} Mason T^rear of the Armie.

[Endorsed] Order at Greenwich
25^{to} Junij 1629 vnto the
Auditors of the Imprest &c.
per Con^{cl} of Warre.
Copie heerof delivered to M^r Bingly.

— State Papers, Domestic. Charles I. Vol. CXLV. N^o 47.

XXXIV. MASON

⁸²⁰ This word was probably erroneously erased in this draught. — COPYIST.

XXXIV. MASON TO COKE.

1629.

Capt. Mason his Overture concerning the Island of the Lewes.

1. THE Earle of Seafood his Patent to be cancelled, and the King & his Adventurers to purchase the Island. And the Hollanders to be discharged & sent away by the said Earle.

2. Intimation to be made to the Burrough Townes on the Sea Coasts that free liberty shalbe graunted for them to fish as in former tymes about the Lewes, & to make use of the Shoare for Packing & Peeling in convenient places to be appointed, paying ground lease. And that they give their consents that the King settle certeine fisheries for the use of himself & Adventurers with him.

3. A Proposicion to be likewise made to the fishermen of the said Townes, that such as will become Tennants to Landes & live in the Lewes, shalbe admitted. And all their fish shalbe taken off their hands dayly as they bring it from the Sea at reasonable rates, and payment shalbe made therefore in money. And yf they want any commodity it shalbe furnished them out of the Magazins to be erected & at reasonable rates.

4. That 12. Magazins and 12. Stages be built in the broad Lough and Lough Sternoway.

5. That Salt Caske and men to dresse & packe and peale ffyshe shalbe provided also for composition by the Last of ffyshe.

6. That competent quantities being gotten together to make certeine Shippes ladings, Shippes shalbe freighted out of Scotland to transport the ffishe, for soe much per Last to the Marketts.

7. That the Island being paid for, by the Company of Adventurers who ought to be Naturalized Scottishmen, the King is to graunt it them in free ffarme, paying the same duties that the Earle of Seafood paid to his Ma^{ty}. And the Island may be divided into soe many lotts

as there are cheif Adventurers. And every Lott to be created a Barony after the manner of Scotland. And amongst the whole number of Baronies, a free Burrough Towne to be erected, and seated vppon the Cheif ffything Harbour, having such priueledges as were graunted to the Hollanders, the particulers whereof will appeare in that Signature which is in the Custody of S^r William Alexander.

8. It is thought very requisite, that the Earle of Seaford be kept in for an Adventurer with the rest proporcionally, for he may much accomodate the buisines, and keepe the Islanders in Awe.

9. The Patent being cancelled, let Articles be drawn betwixt the King and the said Earle conteyning the substance of the whole bargain, wherein he is to deliver vpp aswell the ffything as Lands. And the Exemplificacion of the whole to be remitted into Scotland & perfected there.

10. A Treasurer to be chosen, and a Stocke of money to be put into his handes for managing of the ffything, with Commission to him to proceed according to the directions of the Maior part of the Company.

11. In this Course 30. or 40th may be gayned in the Cth for one ffything. And Three Retournes being made out of the Three ffythings within the yeare, may drawe vpp Ninety in the Cth benefitt at the yeares end. And noe trouble nor charge, nor Adventure of Shipps extraordinary in the nature of Buffes, nor ffishing Boates.

12. Besides this benefitt of Retourne by the ffythings, the Island is to pay rent to the Purchasers, which in ffyfteene yeares tyme will redeeme the purchase thereof.

Yo^r Honors Humble Servant

JHON MASON.

[Endorsed] Cap^t Mafons Opinion
touchinge y^e ffishinges
of the Lewes.

— State Papers, Domestic. Charles I. Vol. CLII. N^o 66.

XXXV. MASON'S DECLARATION TO THE KING.

1629.

TO THE KINGES MOST EXCELLENT MA^{TIES}

The humble declaracōn of Cap^t JOHN MASON Thēr for your Ma^{ty} Army concerning his service fflowerteene Monethes in the Redshankes Ilandes.

Humbly sheweth That having in the yeares 1610, & 1611 bin ymployed by the especiall order of his late Ma^{ty} yo^r ffather of famous memory, given at Thetford for furnishing & setting forth of Two Shippes of Warr & Two pynnasses to attend his Ma^{ty} service conioyntly with M^r Andrew Knox then Bishopp of the Isles, for subduing of the then Rebellious Redshankes in the Hebrides Ilandes, & for settling Lawes of the Realme of Scotland there, w^{ch} accordingly tooke good effect. In w^{ch} ymployment the said Cap^t John Mason was engaged personally wth his said Two Shippes & Two pynnaces & fflowescore Marriners besides certeine Gentlemen Volunteers in warlike manner furnished by the space of fflowerteene monethes, vppon an Aggreem^t made by the Earle of Dunbarr then Lord Chancello^r & Thrē of Scott in his Ma^{ty} name, to pay the whole freight victualls, & wages, and other charges of the expeditōn. But the said Earle dying ere the voyage fynished & noe course by him taken for satisfactōn, the said Capt. John Mason was enforced to discharge the whole debt, viz. Two Thousand Two hundred thirty & Eight Poundes. An Accompt whereof particulerly drawne vpp, he then offered to your Ma^{ty} ffather with a certificate also vnder the handes of the Bishopp of the Isles & other Lords Temporall of his good services done, by many yet justifiable. Whereuppon was delivered vnto him, his Ma^{ty} L^{ve} to the Earle of Dumfermlin then the Lord Chancellor & to the Lordes of the Councell of Scott for passing of a grant of the Kings Assise Herring due from all the fishing Shippes & Boates on those coastes, to the said Cap^t John Mason, who forthwith recieved commissiōn therefore

fore, & made collection of some part of the same in anno 1611. But vpon the marriage of the Queene of Bohemia the States Ambafado^r after Congratulacon of the faid Marriage, & presents delivered, made fuit to the King for a Remiffion of the Payments of the faid Affife Herring due by their Nation, which was graunted to the difanulling of the faid Cap^t John Maſon his whole intereſt therein who never ſince received one Penny towards Recompence, ſaveing onely a Promiſe of certaine Landes in Ireland which tooke noe effect.

Your Ma^{ties} Moſt humble & obedient ſervant JHON MASON.

An Acompt for the Intereſt of 2238^l for 19 Yeares.

Vfe	Due in Anno 1610. ^l	2238. 00. 0
223. 16. 0	Due for the vfe hereof in Anno 1611. ^l	223. 16. 0
246. 03. 0	More due for Vfe in Anno 1612 ^l	246. 03. 0
270. 15. 0	More due in Anno 1613 ^l	270. 15. 0
297. 17. 0	In Anno 1614 ^l	297. 17. 0
327. 13. 0	In Anno 1615 ^l	327. 13. 0
360. 08. 0	In Anno 1616 ^l	360. 8. —
396. 09. 0	In Anno 1617 ^l	396. 9. 0
436. 02. 0	In Anno 1618 ^l	436. 2. —
479. 14. 0	In Anno 1619 ^l	479. 14. —
527. 13. 0	In Anno 1620 ^l	527. 13. —
580. 09. 0	In Anno 1621 ^l	580. 9. 0
638. 09. 0	In Anno 1622 ^l	638. 9. 0
702. 06. 0	In Anno 1623 ^l	702. 6. 0
	All after 10 per Cent	
774. 11. 0	In Anno 1624 ^l	774. 11. 0
	After 8 per Cent.	
680. 0. 0	In Anno 1625 ^l	680. 0. 0
734. 8. 0	In Anno 1626 ^l at 8 per Cent	734. 8. 0
793. 2. 0	In Anno 1627 ^l	793. 2. 0
856. 12. 0	In Anno 1628 ^l	856. 12. 0
925. 0. 0	In Anno 1629 ^l	925. 0. 0
<hr/> 10251. 07. 0		<hr/> 12489. 07. 00
	34	Due

Due in all for Principall & Interest

Whereof Princepall Anno 1610 £

2238. 00. 00

The vse for 19 Yeares, £

10251. 07. 00

1610: 11.

12489. 07. 00

[Endorfed] A declaracōn of Cap^t John Mason his Services in the Redhankes
Ilandes.

— State Papers, Domestic. Charles I. Vol. CLIV. N^o 13.

XXXVI. DECLARATION OF MASON AND BRODLEY.

MAY 20, 1630.

THE 19th of May 1630 Capt. Mason (vpon warning given) attended the Lo: Viscount flalkland, and M^r Secretary Cooke Referees from y^e King in a Controuerfye betwixt S^r W^m Ewrin, kn^t, and the right ho^b^{ty} the Earle of Newporte; w^{ch} meeting fayled and y^e sayd S^r W^m Ewrin in y^e presence Chamber at Whitehall, desired of Capt. Mason a Sight of y^e Kings Liste & of y^e Pay allowed in full to y^e Troope of Horfe lately ymployed in y^e Isle of Rez; & perusing the sayd List, readd a Calculation of Pay for 161 Horfes; for y^e halfe of w^{ch} Number he demanded Allowance for his deceafed Sonne in Law S^r W^m Cunynghan, kn^t, albeit y^e sayd S^r W^m had not, neither did in his life tyme demande for foe many.

Duering this Discourfe, one John Griffith late a Trooper vnder S^r W^m Cunynghan sayd to Capt. Mason that y^e King did allowe for foe many, and that Capt: Mason had Receiued Money for y^e Pay of foe many Horfes as were mencioned in y^e sayd List. The sayd Capt. Mason answered: Noe; Neither did he demande Allowance of his Ma^{ty} for more moneys payd y^e Lo: Montjoy & S^r W^m Cunynghan; then he Could shew their Receipts for: And if he should doe

doe otherwise ; he should Couzen the King: y^e sayd Griffin replied ; Soe you doe Couzen him ; Whoe maketh any question of it. Capt. Mafon answered ; You are a Knaue to say soe by mee : Griffin replied : You are a Knaue ; you haue Couzened both vs, and y^e King : wth other bafe words and provokeing speeches, intermixed wth diuerse threates, as that if he had Capt. Mafon in an other place he would make him acknowledg it : Capt. Mafon then Called to his Clarke (who was there present) to beare witness : I, sayd Griffin ; a Couple of Knaues together ; Capt. Mafon told him he would make him knownen what he was ; and wth of y^e was y^e honefter man : Griffin answered, he had as good frends as Capt. Mafon : & that he would spend his blood before he would loofe his Money :

Thus much wee are ready to testify
vpon Oath if it be requiered —

JOHN MASON
MATTHEW BRODLEY.

[Endorfed] Capt: Mafons informacion
touching J: Griffin a
trooper, y^e 20th of May ⁸²¹
1630.

— State Papers, Domestic. Charles I. Vol. CLXVI. N^o 87.⁸²²

XXXVII. LETTER OF MASON.

JULY 7, 1630.

S^r

Mr Secrettarye Coke calleth for the warrant that is to be signed for deliverye of the Pyde Cowe to me, and sayth their is no need of any

⁸²¹ The document has "19" erased, Nicholas, in which he sends a copy of and "20" written under it. — COPYIST. an account already rendered to the Admiralty. *Vide Calendar.*

⁸²² No. 89 in the same volume is a letter from John Griffith to Secretary

any Session of the Lords for that matter ; but if yowe will offer it to morrowe they will signe one after another.

Yo^r assured ffrind to serve yowe

JHON MASON.

[No address.]

[Endorfed] R. 7^o Julij 1630.

Capt. concerninge the

Py'd-Cowe pincke.

— State Papers, Domestic. Charles I. Vol. CLXX. N^o 39.

XXXVIII. MASON TO DORCHESTER.

JULY 9, 1630.

MY NOBLE LORD

Hearing of your Lo^{ps} Displeasure conceiued against mee for that y^e Moneys Petitioned for by Leif^t Carleton are not payd. I thought it my duetic to present both his Cafe and my owne to your hono^{rs} veiwe ; that so both being waighed in y^e Ballance of your wisdome, it might moderate your anger, and transferr the faulte to its proper Center, where it ought to rest.

The Leif^t hath had his full Arrere payd vnto him for his whole tyme of service vntill y^e Discharge of y^e Army y^e 13th of November 1628.

This Money now demanded is a Gratuity for the Tyme of his Imprisonm^t in ffrance, after the Returne and discharge of the Armie in England, and is Rated at y^e Somme of 59—14—0 : Whereas diuerse other Prisoners in ffrance at the same tyme are put by from all acknowledgm^t of Pay for that Tyme.

The Lords Order made at y^e Discharge of y^e Armye, is that noe Officers, or Soldiers shall haue any Pay for any tyme after the sayd Discharge : And the sayd 59th—14—0 Is neither established by Warr^t from y^e Board as yet ; Nor any moneys haue beene Receiued
since

since March last, either for this vse, or for y^e Paym^t of a Lift of 7800^{li} appointed to haue beene p^d to Officers at Midfomer last; Into w^{ch} Liste I haue entered y^e Leif; and Intend to pay him out of the first Moneys I can Receiue, (w^{ch} I hope wilbe w^{thin} 5 or six dayes) albeit it be but 500^{li} parcell of 2000^{li} Ordered in parte of y^e 7800^{li} aforefayd. And when this is done I must be a Suitor to your Lo^{ps} to assit mee in obtayning of a Warrant for to pay y^e sayd 59^{li}—14—0.

I shall Request that your ho^r would be pleased to pretermitt all Suggestions of Neglect of that Duety to you w^{ch} Concernes your Servant so much Obliged to y^e as I am. And if I Could be M^r of my owne Estate, (the greatest parte whereof now lyes in his Ma^{ties} hands for 4000^l Suites of Clothes furnished to y^e Soldiers two yeares since, And other Moneys disburs^t for y^e Kings Accompts in so much that I am ashamed to Relate my wantes) noe man should be more forward to obferve your Honours Service and Commands then

Your ho^r's bounden servant

JHON MASON.

JULY 9th 1630.

[Addressed] To y^e Right hono^{ble} the Lord
Viscount Dorchester Prin-
cipall Secretary to his
Ma^{ties}/ my Noble Lord.

— State Papers, Domestic. Charles I. Vol. CLXX. N^o 42.

XXXIX. WILLOUGHBY TO MASON.

JULY 29, 1630.

NOBLE SIR

I find more backwardnes then I thought I shoud have found, in procvrng the notes of such monnyes as have bin payd heare toe y^e Officers, but I dowght not of finding them ready at my retorne intoe

intoe Mvnster, at w^{ch} tyme I will send them away vnto youe ; in the meane tyme youe may delay y^e payment of such as youe prefume have receavid any thing heare. y^e Irish Regiment heare is discharged w^{ch} I beleeeve will make y^e wages som thing vnfree for a while but y^e Cuntries purfes will find ease by it, and have a great deale of other Content. Sir, I pray, forget not my sute vnto youe for Cap^t Lews Williams heare is a weoman y^t is mvch engaged for hym, besides a greate deall of monny Advannst hym by my lord of Corkes means, y^e partycvlars of w^{ch} I will send youe over by y^e other notes, my lord prefident relies mvch vppon youre Care for his monny of w^{ch} I have towld his lordship he neede not dowght, my lord of Valentia denyes y^t ever he receavid any vycont (*sic*),⁸²⁸ and haeth signyfyed it hier vnder his hand, and desires youe toe stand for his means and I dare warrant youe good respeckt from hym. foe Comending my best lowe toe youe and yours I take leave and rest

Yours toe serve youe

FR. WILLOUGHBY.

my deare hart is browght toe bed of a yonge fone and are boath well I thank god, and where they are welcome.

from Dublin y^e 29 of July 1630.

[The address is torn away except : —

“ red freind
 surer
 ”]

— State Papers, Domestic. Charles I. Vol. CLXXI. N^o 57.

XL. WILLOUGHBY

⁸²⁸ This word comes just under “ lord ” (of Valentia) in the document, which is meant, perhaps, to read : “ my lord Vycont of Valentia denyes y^t ever he receavid any [*i. e.* money], and haeth,” &c. See Vol. CXLVIII. N^o 104, in the printed *Calendar*. — COPYIST.

XL. WILLOUGHBY TO MASON.

1630.

NOBLE SIR

My sone delivered me a paper. sent me by youre sarvant bradley. and but y^r I thowght before this toe have Com intoe England my selfe I had Answered it. / and in regard I Can not as yet Come, and taking in toe my Consideration y^r toe let it alone any longer vnan- swered, were but toe posses some of an Opinyon. y^r I weare behind foe mvche w^{ch} I Cowld wyshe I were (yf I had y^e money) for my Con- science tells me I have defarved a better reward then any I have had/ but toe Answer youe directly toe y^e paper sent withowght a letter, tis true y^r y^e Coppie of y^e account resting in my handes specifies as mvch as y^e other sent me. / being y^e some of 1191^l—11^l—0 w^{ch} I did receive as youe write. owt of youre handes and owt of y^e Ex- checkker, but youe knowe that besides y^r some, I had an Assignment. or bill of Exchaing[e] vppon barr of Dublin, by y^e Right honorable y^e Lord trefurars order, and y^r for y^e some of 533^l starling and od money. wherof I receavid of m^r lake 200^l and was toe have 200^l mor, relinquiffing y^e rest, vntill by youre means, or motion, made vnto hym, he was Content yf I Cowld get my money. when y^e rest were payd toe take les of me. / Vppon burlimachis promys toe pay Sir James Skot y^e money within 20 dayes, which he promysed. faythfully toe doe, I relinquifed y^e rest all but 260^l w^{ch} I Assigned hym in lue of my dawghters portion, of w^{ch} he haeth as I vnderstand receavid but 195^l w^{ch} is 5^l les then m^r lakes bond signyfes he was at y^e first toe pay me, w^{ch} bond rested in Sir William Slingsbies handes when I Came away/ this was none of y^e monnyes. due vntoe me. vppon y^e foote of youre account/ but accrvd. as followeth/ his Maiefty at Winfor Cowrt vppon a petition Exhybyted toe his highnes by Sir James Skot and my selfe gave my lord trefurer and my lord of Dorchester order then toe satisf. . . vs for owr sarvice and imployment, wher-
vppon

vppon my lord trefurer gave order toe my lord of Dorcheſter toe agree with me. whoe firſt Affured me of 40^s per deyv^m y^e tyme of my tedious imployment with youe after y^e reſolution Chainged and 30^s per deyv^m was reſolved, after y^e my lord trefurer and my lord of Dorcheſter. being together, in preſence of m^r Chanſelor towld me yf I would be Content with 300^l oute I ſhowld preſently be diſpatcht. wherwith I was Satisfied. vppon Condition I myght have my Arrears of Count Mansfeld and my diſburſed monny in Ireland w^{ch} I made appeare at y^e Counſell table toe be due vnto me vnder y^e lord preſidents hand and Sir richard Aldworths w^{ch} I have ſtill ready toe be ſhewed. I was Comaunded toe make a liſt of altogether and deliver it in toe my lord of Dorcheſter. which I did and after my lord trefurer and my lord of Dorcheſter Came together at Hamton Cowrt and there reſolved I ſhowld have my money, w^{ch} after long Attendance not being able toe get it I intreated my lord toe let Callandrine give me a bill of Exchainge toe bor of Dublin for y^e 533^l as I take it and od money, 300 of w^{ch} was Allowed me for my Charges in y^e Armys buſines 140^l for my Arrears of Count mansfeld 35^l diſburſed heare in Ireland and 20^l my lord Allowed me for my drums and ſarieants. toe Aſſiſt them. and this his honer agreed toe at So hamton, and then there was a remainder vppon y^e foot of my Account y^e reſted in youre handes w^{ch} made vp y^e full ſome of 533^l—od mo[ney] of w^{ch} I have receavid but 200 and Sir James Skot 195 w^{ch} is les then my due, as by y^e account and y^e bill of Exchainge will Appeare juſt 138^l which monny I intend not toe loos, taking god toe my record y^e y^e getting of my owne monny, y^e I ſoe dearly earnd with y^e los of my blud my ſones lyfe and my fortunes in y^e loe cvntries Coſt me above 300^l ſoe as I may ſaefly ſweare, and will receive y^e ſacrament vppon it, y^e al thinges reconed I had vppon y^e matter no thing for all y paynes I tooke, and this I write is noe taell I tell for youe knowe it toe be true, when I was ſtayd laſt of all by my lord trefurars order after my wyfe was gon toe briſtoe, ſhe liing there at a greate Charge, myne being ſom thing eaſiar, by y^e favor I receavid in lying at youre howſe, my lord did promys me for my ſtay 100, be-
fore

fore Sir nycholas fortescue, and y^t y^e King gave order for at my lord Conways motion, y^e same Sir Thomas Morton had alfoe, and Sir Jams Skot./ Sir Thomas having had all y^e while a pention of a marke a day and I nothing but only on some as formerly related and yet it seemes this 100^l is reconed toe me againe. Sir toe Conclude I am soe far from Confessing a debt toe y^e King (otherwise then my lyfe w^{ch} is at his maiesties service) y^t I hope, vppon my Coming over, toe recover y^e rest due vntoe me.

Sir heare is an vnkell of Cap^t Lews williams on y^t I made youe acquainted with, y^t had furnyshed hym in y^e tyme of his wants in this kingdom, he haethe Admynystrated for his kinsman and desires youre favor, and I doe y^e lyke y^e rather y^t his account was Awdited and fyned with y^e rest, He wilbe Content with any resonable matter, and yf youe pleas toe stand his freind he shall send youe over his letter of Admynystration, and soe till I see youe my selfe, I and my wyfe kindlye Comend vs toe youe and yours, resting

yours toe serve youe

FR. WILLOUGHBY

yf youe have occation toe vse me in these partes youe shall find me not soe slack toe doe youe service as youe have bin toe Answer my many letters sent youe since my Coming over, w^{ch} yf youe had pleased toe doe I showld have receavid youre lines thankfully but truly I find Sir Jams Skots words toe be true y^t I was noe sooner gone but I was forgotten.

[Addressed] Toe his mvch honerd freind
Cap^t John mason, Esquire,
at his howse in fanchurch
Streete, These.

— State Papers, Domestic. Charles I. Vol. CLXXIX. N^o 21.

XLI. MASON TO COKE.

AUGUST 4, 1630.

RIGHT HO^{BLE}

On the 27th of July I delivered to S^r William Alexander his Ma^{ties} Packett concerning the ffishings, & the same Evening I follicited the Lord Th^rer & Lord President for a speedy dispatch. On the 28th of July the Three Estates convened, And the question being putt whether to begin wth the greevances or Taxacion, It was resolved the Taxacion should haue the first place, & soe before their rising that Day was granted payable in fflower yeares fflower Hundred Thowfand Poundes Scottish money, w^{ch} makes Thirty Three Thowfand Three Hundred Thirty Three Poundes Six shillings Eight Pence English Coyne. On the 30th in the forenoone into the Lord Chancellor his chamber, (his Lor^{sh} lying sicke of the Gout in his bedd) were gathered together the Lords of the Privie Councell to heare the Kings Lettres & instruccions touching the ffishings, wherevnto I was called. And after some little debate, the resolucion was that they should be represented to the Three Estates in the Convencion, which was done the 30th in the afternoone. And yesterday being the Third of August after some debate a Committee was agree[d] vppon to be made of the Nobility, Clergy, Gentry, & Commissyoner[s] for the Burroughs, which within Two dayes should give a resolucion to the propoficions, but I am perswaded little can be done vntill they retourne home to their severall Shires and Burroughs, & haue treated with their people severally, And then Commissioners will be sent to London to give a resolucion to every point. It seemes to me they had rather doe all that is to be done, w^{ch} I feare is aboue their abilities, then doe in part. M^r John Hay theis Two last dayes hath not without some violence opposed & accused the Earle of Seafort for breache of the Lawes by bringing in of Hollanders. I will labour with the Lo: Chancellor that as little tyme be given them as may be, because the whole intended English preparations

paracions attends their answer & resolution what part of the Two Hundred sayle they will undertake. The Lord Chancellor, Lord Thſer, Lord President, & S^r William Alexander doe with great ferventes endeavour to set forward the worke, & the most of the Lords haue a very good inclinacion to yo[u?]. I shall not fayle to send speedily to the Lewis according to your Honors direction. Now as touching our Woods I am every day confirmed in my opinion of the great benefitt that may accrew[e] to his Ma^{ties} Navie, by reason of Mafts & Ship Tymber that may be served from thence, A Sample whereof I hope betwixt this and November next to present to his Ma^{ty} in London, yf I may not be disappointed of the S^r Anne, wherein your Honors favourable assistance is humbly ymported by

Your Honors humble servant

JHON MASON.

EDENBROUGH
August the 4th
1630.

[Addressed] To the right Hon^{ble} S^r John Coke,
knight, principall Secretary
of State, & of his Ma^{ties} most
honorable privie Councell, at
his house on Garlicke hill in
London, theis d^{ay} ⁸²⁴

— State Papers, Domestic. Charles I. Vol. CLXXII. N^o 19.

⁸²⁴ Most of the letters previous to this are sealed, in red wax, with a man standing, holding a scroll on which is the motto, "GLORIA · DEO," and round him the legend, "MELIORA · DEDIT · DEMPSIT · ET · REDIDIT · TER." A new seal is used on this letter, with the same inscriptions; but the motto is on a shield, as in the margin, and the man rests on the shield. Very few of the letters are in Capt. Mason's own hand throughout. Most of them are written by a clerk, and merely signed by Mason. — COPYIST.



XLII. INSTRUCTIONS TO CAPTAIN MASON.

1630.

Instructions for Captain John Mason imployed by his M^{tie} to treat wth the Lords of the priuie council of Scotland about the erection of a general fishing.

FIRST you are to signifie to their Lordships that his M^{tie} our dread fouerain maturely considering how great a blessing God hath giuen to his kingdoms in the abundance of feafish uppon al his coasts & how the benefit therof is reaped only by strangers to the great disparagement & preiudice of his subiects, hath now taken a royal and firme resolution, to set up a common fishing to bee a nurserie of seamen, & to increase the shipping & trade in al parts of his dominions. And theis being common benefits to al his three kingdoms, so as they can deuidedly bee enioyed by anie, His M^{ties} royal & gracious pleasure is to haue it undertaken & ordered by common council & indeuor. And to that end sendeth you to this meeting of the Lords of his Council at Edenborowgh, ther to make this intimation: & to represent unto them the Propositions w^{ch} haue been offred and aproued of here as tending to the aduancement of this great woorke, that they may bee taken ther into like serious consideration, as wel to ratifie and confirme what they shal agree uppon, as to aduise what other waies or meanes may conduce to the perfecting therof.

And because a great stock must bee raised by contributions of Adventurers, who can not otherwise bee drawn into it, but by hope of great & present gaine: you are to shew to their Lordships the Estimate w^{ch} is made of the charge & proffit: that it may ther bee rectified, if anie thing bee mistaken, & made fit to bee published for an inducement to incourage men to ioyn in a woorke of so great hope.

Besides those fishing vessels w^{ch} are alreadie prepared and imployed uppon the seuerall coasts of theis kingdoms in the fishing seasons, it is
thought

thought fit for a considerable beginning to make a new prouision of 200 vessels more betwixt 30 and 50 tonnes a peece : w^{ch} being rated by a medium of 40 tuns & at iijth the tun wil cost for the huls only wth the ironworks 120th euerie ship : and for the hundreth

	12,000—00—0
For riging, sails, cables, anchors mafts boats & other furniture at like rate }	12,000—00—0
Euerie vessel wil require 120 nets w ^{ch} w th head lines & corcks wil cost for euerie vessel 120 th & for 100 }	12,000—00—0
Euerie net wil require ten fathom of 3 or 4 inch warre rope w ^{ch} makes for euerie vessel 250 fathom estimated at 1000 waight w ^{ch} at 5 nobles per cent wil cost xvj th xij ^s iij ^d a vessel & for 100 }	01,666—13—4
Other necessaries at iijj th the vessel for a hundreth wil cost	00,400—00—0
Theis 100 fishing vessels may make 3 returns euerie yeare the first wherof is for herings, & may catch a hundreth last a peece in al 10,000 last & so manie last the barils wil cost at xx ^s the last }	10,000—00—0
Theis $\frac{3}{10}$ last of herings wil require 3000 waigh of salt accompting 30 waigh for euerie hundreth last : w ^{ch} at iijj th the waigh wil cost }	12,000—00—0
Euerie fishing vessel of this burden must bee manned w th 16 men & boies, in al 1600 to bee victualed for 4 moneths from 1 June til 30 Sept w ^{ch} at xij ^s iij ^d a man per menfem cummeth to }	04,533—06—8
The wages of 16 men in euerie ship cummeth to lxxiij th for 4 moneths : & for 100 ships to }	07,400—00—0
Total charge of 100 vessels	72,000—00—0
The profit to bee raifed of theis 100 vessels the first fishing — being 10,000 last of hering — if they shal bee sould at sea wil at x th the last cum to }	100,000 th —00—0
Out of w ^{ch} deducting 72,000 for the charge it cleareth the stock of the vessels w th their furniture & nets : & in monie }	028,000—00—0

In

In the second fishing beginning 1 Octob. & ending 31 Januarie — in like maner for hering — theis 100 vefels may take 60 laft a peece in al 6000 laft w^{ch} being winter herings wil bee worth at xij^{li} the laft

72,000—00—0

And deducting for charge of 6000 laft of cask — 6000^{li} of 1800 waigh of falt 7200^{li} of wages 7400^{li} & of victuals — 4533—6—8. In al — 25133^{li} the cleare gain wil bee in monie

46,867—00—0

The third fishing beginning in March & ending 31 May for the taking of ling & cod in the loughes & uppon the Rona: accompting that euerie vefel may catch 6000 fish & 100 vefels 600,000 at xxx^{li} the thowland wil yei[l]d

18,000— 0—0

Besides the fish of euerie vefel wil yeild 3 tuns of oyle worth 13^{li}—6—8^d the tonne: w^{ch} for the 100 vefels cummeth to

4,000— 0—0

Total profit

22,000—00—0

Out of w^{ch} deducting for hooks lines leads is for euerie ship — 14—10—0 w^{ch} for 100 ships is — 1450^{li} & for falt ten waigh for euerie ship — 4000^{li} for 3 moneths victuals — 3200^{li} & for 3 months wages 5510^{li} In al — 14160^{li} the cleare gain resteth

07,840—00—0

And so theis 3 fishings in one yeare wil repay al disbursements: and yeild in cleare profit al the ships & nets wth their furniture to serue again for manie yeares & besides in monie to bee shared amongst the aduenturers.

82,707—00—0

The other hundreth fishing vefels wil require the like charge and yeild no les profit: w^{ch} added to the former sum produceth yearly — 165,414^{li}—0—0.

This benefit wil bee much aduanced if the fish bee caried to the markets wher it wil yeild aboue a third part more in prise: and no les by the returns to bee made in the commodities of those contries wher the fish shal bee sould.

When

When you haue thus fatisfied the Lords in the charge to bee required : & in the profit w^{ch} may accrew : you are to understand from them what number of veffels may bee furnished in that kingdom & what proportion of monie may bee raied : & to that end you may moue them to conferre wth the Nobilitie & gentrie & specially wth the Free borowghs that it may appeare what feueral vndertakings may bee procured amongft them : in like maner as wee purpose to doe here.

And becaufe it is not held fœfible or conuenient to mefnage this common bufinefs by a common and ioinct flock but rather in feueral companies or members w^{ch} notwthstanding may haue relation to one bodie : you are to that end to moue their Lordships to take the fame courfe wee intend here : to choofe in euerie prouince fuch principal citties towns or Borrowgh[s] wher a companie may bee planted : & take order that al aduenturers of that prouince may ioyne wth that companie both in the charge & contribution for fetting forth the fhips, & in fharing the benefit w^{ch} by the fifhing fhall accrew.

Yet confidering that the fifhings fale not out in al places at al feafons, but that the general hering fifhing beginneth about the Orchads in June, & thence proceedeth al the fumer along the coasts of Scotland & England til the midft of winter : & that al the yeare it continueth about the Hebrides & Irland & fpecially at the Lewes : that therfore the Aduenturers may fifh freely in al places at al times : & yet fo as the laws & freedoms of euerie kingdom may bee preferued (w^{ch} is his M^{ties} moft gracious refolution) Hee conceaueth it therfore neceffarie (and accordingly you are to communicate it wth the Lords) that al the Aduenturers in this companie of the common fifhing bee his own liege fubiefts : & that no ftrangers of what nation foeuer bee admitted into it except the[y] tranfplant them felues into his dominions & ther bee indenifed & take the oth of his allegiance. And further that al his own fubiefts of that companie bee indenifed refpectively in either kingdom : both to obey the laws and to enioy the liberties accordingly.

And

And becaufe the Lewes is the moſt proper ſeate for a continual fiſhing along the weſtern coaſts you are to lett their Lordſhips know, that his M^{ty} is reſolved to take it into his hand as adherent to his crown, yet giuing ſuch ſatisfaction to the Erle of Seaforth as ſhal bee honorable & iuſt : to w^{ch} end their Lordſhips are required to receaue from the ſaid Erle a true particular of the rents receaued by him ther : & to certifie his M^{ty} how they may bee mainteined & made good from time to time.

It is alſo his M^{ty}s purpoſe (as you muſt acquaint the Lords) to erect in that Iland one or more free Borowghs in ſuch places as ſhal bee fitteſt for the aduanceing of the fiſhing : & for magafins and ſtages.

When you haue thus aduiſed wth the Lords of the number of veſſels, the encouraging of aduenturers to a proportion of the charge : the ſetling of companies & the diſpoſing of places, as punctually as you can, it remaineth that you propound unto them a forme of government, w^{thout} w^{ch} a buſineſs of this conſequence can nether bee eſtabliſhed nor continue. Ther bee late erected formes both in France Spaine & the Low contries w^{ch} ſhew the neceſſitie of ſetling a Common Councel or Contractation Office to bee compoſed of ſondrie choſen men of qualitie of ech nation, wth power giuen from his M^{ty} to make & executing ſuch ordinances as in conformitie to the laws of ech kingdom ſhal bee found expedient, for the taking, ordering, and vending of the fiſh : & to heare & determin ſuch queſtions & differences as ſhal happen about the ſame. Likewise in euerie prouince in that cittie or Borowgh wher a companie ſhal bee ſetled ther muſt bee a cort of Aſſiſtants to correſpond wth the Common council : wth Commiſſion in like maner to order the buſineſſes of their own companie according to ſuch ordinances as ſhal bee eſtabliſhed by the ſorſaid common council and to determin differences ariſing amongſt them ſelues about the affairs of them fiſhing : wth relation to the ſaid common council in caſes of appeale.

Hauing treated wth the Lords about theis and al other particulars w^{ch} may occurre & ſhal bee found neceſſarie for the ſetling of this buſineſs ;

business: if anie such difficultie arise as can not bee determined by your negotiation, you are to moue their Lordships to nominate commissioners to treat further wth such as his M^{tie} sha[1] appoinct here: & by them to send a perfect report of al poincts wherin they require satisfaction.

During the time of your abroad in those parts you are to send some hable & trustie person to vew the Lewes & the coasts adioyning: & to bring true information of the state therof: & particularly what strangers are planted in it & uppon what conditio[n], what fishing vessels are ther employed: and what commoditie for packing peling & making salt: and generally what is fit to bee obserued for the benefit of his M^{tie} & the aduanceing of this woorke.

You are to obserue theis instructions for your direction in your proceedings: yet if anie thing may occurre wherby the seruice may bee furthered wth here is omitted, you are not herby restrained to use your best indevar therin as occasion shal serue.

And for your better inhabling you are to carie wth you his M^{ties} Commission vnder his sign manuel for your further authorisation & warrant.

[Endorfed]

1630

Instructions for Capt.
John Mason for the
fishing business.²²⁵

— State Papers, Domestic. Charles I. Vol. CLXXX. N^o 102.

²²⁵ John Bruce, F. S. A., the editor of the volume of *Calendar of State Papers*, in which an abstract of this paper is given, thus describes it: "Secretary Coke to Captain John Mason, employed by his Majesty to treat with the Lords of the Council of Scotland about the erection of a general fishing." *Vide Calendar of State Papers, Domestic*, 1629-1631, p. 450.

XLIII. MASON TO NICHOLAS.

MARCH 11, 1630-1.

S^r

I am given to vnderstand y^t M^r Rookes hath no intention to Im-
 ploye his Ma^{ties} prize Shipp the Esperance, which daylie chargeth the
 Kinge wth the wages of fiffe men belonging to hir, and goeth to
 decaye so that she is liklye to drawe a further chardge vppon the
 Kinge for Reparations if it be not tymelye prevented. Wherefore I
 shall desire yowe to move the Lords Commiſſioners for the Admirallty
 that M^r Rookes maye be inioyned ether to take hir vppon the con-
 ditions agreed vppon betwixt their Lo^{ps} and him ; or that I maye
 have hir for fetchinge of Maſts for the Kings ſervice, ſhe beinge
 valewed at a Reasonable rate which I ſhall paye his Ma^{ty} for hir.

Yo^r very lovinge frind
 to ſerve yowe

JHON MASON.

[Lo]NDON xith of March
 1630.

[Addreſſed] To my worthy frind Edward
 Nicholis, Eſquier, Secrettarye
 to the Lords Commiſſioners for
 the Admiraltie.

— State Papers, Domeſtic. Charles I. Vol. CLXXXVI. N^o 80.

XLIV. MASON TO NICHOLAS.

APRIL 20, 1631.

GOOD S^r

I am ſo Importuned by ſom of the purviers of the London Mer-
 chant y^t I cannot avoyde to write vnto yowe wth Requeſt ; That
 forasmuch as we have putt all our matters concerninge hir vppon a
 right

right foot for the Tyme past except 24—12—6 belonginge to your part for an Areare of the last and for settinge out this present voyadge, which we hope shall bringe in som profitt besydes y^e Reimburfement of our charges ; That theirfore yowe would take the payment of so much vppon yowe, to stop this Gapp wth and God blessinge hir safe at hir Retourne after 10 months for which she is taken certaine beginninge the first of this Aprill, their will be payable to yowe 50^{li}; And the shipp in better Reparation then she was at any tyme theis 7 yeires past. S^r I am

Yo^r humble servant

JHON MASON.

LONDON Aprill
20th 1631.

[Addressed] To my Noble ffrind Edward
Nicholis, Equier, Secrettarye
to the Lo: Commiffioners for
the Admiraltie.

— State Papers, Domestic. Charles I. Vol. CLXXXVIII. N^o 99.

XLV. EYRE TO GIBBONS.

MAY 31, 1631.

LONDON, the last of May, 1631.

MR. GIBBINS

Yours of the 8th of April, 1630, from Plimouth, I received, and thereby tooke notice of your intertaining Roger Knight, and here I present his wife 20s per quarter, at your desire, and 3*l*. per quarter to yours. I hope by this they are both with you, according to your desire. I wish all your wives with you, and that so many of you as desire wives, had such as they desire ; for the adventurers desire not to be troubled with quarterly payments.

Your next to me is dated the 21st of July last, at Pascataquacke. I take notice of your complaints for want of trade goods, and so much

as

as lieth in me it shall be otherwise ; especially if you send us returns, doubt not but that you shall be supplied, from time to time, unto your owne contents.

Your 3d lre to me is dated the 14th of August, by which I perceive divers of the commodities and provisions which you carried with you in the barke Warwicke were not to your liking, for which I am sorry. You know the trouble we had. I could not looke to Mr. Olden's and all besides. I hope by the Pide-Cowe you find it otherwise. I pray you write me how you like the hatchetts sent you by that ship, and how all goeth.

I like it well that your Governor will have a stock of bords at all times readie. I hope you will find something to relade both the Pide-Cowe and the Warwicke. I will now put on the sending of you the modell of a saw-mill, that you may have one going.

Your wife, Roger Knight's wife, and one wife more, we have already sent you, and more you shall have, as you write for them.

Another lre I have from you, of the 14th August, in which you write for another Mason. Wee have had enough to doe to goe so farre forwards as we have, as Capt. Keyes can tell you ; yet now we beginne to take hearte agayne, but the sight of returnes will be that which will indeede put life into us.

Among my New-England records, I find your lre unto Capt. Mason, of the 14th August last, wherein you give a good account of your time spent from the first of June untill then, as also of the manner of your trade, which was to Capt. Mason's liking. We hope you will find out some good mines, which will be welcome newes unto us.

By Mr. Glover we rec^d lres from Capt. Neale, written, as we think, about the end of March last. Write me, I pray, what winter you had, and how you had your healthes, and why Capt. Neale went not in Septem. last to discover the lakes, as he wrote he would, and why you did not write by that conveyance.

By the barke Warwicke we send you a factor to take charge of the trade goods ; also a foldier for discovrie, &c.

Thus

Thus I commend you and your wife, who, by this, I hope is with you, to the protection of the almighty.

Your loving friend,

THO. EYRE.

Kept until the 7th of June.

— New Hampshire Provincial Papers. Vol. I. pp. 61, 62.

XLVI. LORD TREASURER WESTON TO
MASON.

JUNE 6, 1631.

AFTER my hartie Commendacions. Whereas the Officers and Souldiers of his Ma^{ties} fforte at Landgard Point in a Petition of late Exhibited vnto mee haue Complayned of the want of their Paye makeing Pretence that there are behinde great Sommes of Money not onely due to them but also to Certayne Creditours who haue furnished them with Provisions of Vi^{ct}ualls. These are therefore to will Requier and authorize you forthwth vpon sight hereof ; either your selfe, or by your Deputy to take Journey to y^e sayd fforte ; And to examine y^e Number of y^e Officers and the Souldiers aswell Resident there at present by a Muster to be taken of them, as also that haue formerly made personall attendance vpon the place since the Estab^{li}shment thereof. And to take an Accompt in particular of everie Souldiers Demandes ; And According to y^e Necessitie y^e shall finde him in. that you Advance to him by way of Imprest out of the Moneys deliuered you a Competent Somme takeing a Receipt therefore ; Of all which Payments you are to bring mee an Accompt. And when I shalbe fully enformed of the true Estate of y^e Accompt of the Debts due vnto them. and their Creditors ; Such further
Order

Order shalbe taken for their satisfaction as shalbe Requiste. And for your so doing this shalbe your sufficient Warrant

JUNE y^e 6th 1631.

R. WESTON.

[Addressed] To my verie loving freind
Capt John Mason Esqr:
Th̄rer and Paymaster
of his Ma^{ties} late Armie.

— State Papers, Domestic. Charles I. Vol. CXCIH. N^o 32.

XLVII. MASON TO DORCHESTER.

JULY 7, 1631.

MY NOBLE LORD

I have Travelled both wth the Auditors of the Imprests and S^r Rob : Pye to satisfie your Lo^{pp} concerninge the Chardge of the Cales voyadge, but fynde Those Accompts so confused and intermixt first wth the voyadge of the Earle of Lyndsey immediatly followinge (which cheifly was furnished out of the Remaynes of the Cales flect); Then wth the voyadge to Rez. And lastly wth that to Rochell; And the Kings Shipps in the na. . . . Seas in the interim of all those voyadges furnished partly out of Retourned munition & other Stores. That wthout great pa. . . . & fom Reasonable tyme to be allotted to the severall Clarks of Navie, victualler & ordnance offices, the Accompts for ech voyadge perf. . . . cannot be distinguished. So that I can only present to your L[o^{pp}] an estimate of the Chardge of the Army proper to my ow[ne] office, which before my Tyme falls out as intricate & con. . . . as any of the Rest, by Reason of multiplicities of payem^t and their Accompts involved on wthin an other, The ffoot wherof is 249,970^{li}—17^s—4^d; ⁸²⁶ And so much I suppose it hath cost the King for

⁸²⁶ Enclosed is an Estimate of the charge of landmen employed in the Cadiz action for twenty-two months; viz, five months before and in the action, and seventeen months in garrison at home; total £249,970 17s. 4d. — *Calendar of State Papers, Domestic, 1631-1633*, p. 103.

for y^e Cales voyadge altogether or will cost him when debts of billets to the Country, a[nd] Areres to livinge & dead officers are payd ; & by my estimate th. . . . Som is the moytie of the Kings chardge for that whole voya[dge] which if your Lo^{pp} please may be conceived to be ffive hondr[ed] Thoufand pounds. The truth wherof will appeare if the Kin[g] or the Lo: T^rear shall be pleased to call for a strict Accomp[t] from the Auditors when the books of the severall Accomptants shall be Audited which worck is yett to be done. Thus cravinge pardon for my bouldnes ; I kifs your Honors hands & Rest

Yo^r Honors Humble servant

JHON MASON.

DEPTFORD Julye 7th 1631.

[Addressed] ffor the Right Honorable
The lord Viscount Dorchester
my very good Lord.

— State Papers, Domestic. Charles I. Vol. CXCVI. N^o 32.

XLVIII. MASON TO NICHOLAS.

OCTOBER 10, 1631.

S^r

I did expect accordinge to the Resolution of the Lordes Commiffioners for the Admiraltie ; Som order for Imbarkinge on board the Esperance certaine of his Ma^{ties} Ordnance at Portsmouth to be transported to London ; And for that cause I have prepared the Shipp, and have furnished hir the better both wth able men and substantiall Rigginge ; but I am informed by M^r ffofter That the Shipp y^t was appoynted for hir Convoy is gone to the Elbe and nether may attend that service till hir Retourne ; which to wayte for will cause great los of tyme and expence of mony to me by victualls & wages daylie Consuminge on board the Esperance. Now for that the Shipp is of

a Competent fforce, and the ordnance to be transported beinge about 90 peices of Iron ar not worth above 1500^{li} and those of brais ar but 8 peices and 4 port peeces which I suppose exceed not the valew of the other ; yow may be pleased lett their Lo^{ps} knowe y^t if this oportunitie be lost, it will be difficult hereafter to fynde so easye a conveyhance ; your Answer heirvnto I shall desire before Thursday night next That I may give order accordingly to M^r Wolnor m^r of the Esperance & for present take leave & Rest

Yo^r very lo : ffrind to serve yow

JHON MASON.

LONDON this 10th of October,
1631.

[Addressed] To my worthy ffrend
Edward Nicholis Esquier
Secrettarye to the Lordes
Commissions for the Admiraltie.
dd.

— State Papers, Domestic. Charles I. Vol. CCI. N^o 41.

XLIX. GOODS IN THE PIED COW.

NOVEMBER 17, 1631.

LONDON, the 17th of November, 1631.

INVOICE of fundrie comodities shipped in good condition aboard the Pide-Cowe, Mr. William Stephenfon, bound for the harbor of Pascattaway, in New-England, being for the accompt of the Right Hon^{bl} Mr. Ferdinando Gorges, Knight, Captain John Mason, Esquire, Mr. John Cotton, George Griffith, Henrie Gardner and Compa. Marchants, consigned to John Raymond, purser of the said shippe, viz :

7 Hogheads

7 Hogheads of Beefe, weighing 31c 3q 09lb, at 18s 6d per centumme,	29 : 07 : 00
8 Ferkins of Butter, at 19s 6d,	07 : 16 : 00
5c 2qr 29lb of fuffs, cheefe pac[ked] up in a chest, at 2½d per pound, is	06 : 12 : 06
22 bushels 3 pecks of oatemeale at 4s 8d per bushell is,	05 : 06 : 02
32 gallons and 3 quarters of sweet oyle at 4s 08d per gallon, is	07 : 12 : 10
The Chirurgeons Bill is	04 : 06 : 00
4 hogds of Meale — 4 quarters at 5s per bushell,	08 : 00 : 00
2 douzen of howes at 2s y ^e pce,	02 : 08 : 00
The Ironmongers Bill,	04 : 10 : 00
4 Flock-Beads and bolsters at 18s,	03 : 12 : 00
1 Rugge at	00 : 15 : 00
3 Pigges of Leade and 56c of fhott,	02 : 07 : 10
4 quarters of Mault with the Caske,	06 : 00 : 00
Lines for codde,	06 : 02 : 00
Ffish hookes,	02 : 00 : 00
Summe,	96 : 15 : 04

Transported to the next folio.

P. 2. Sundrie commodities shipped in the Pide-Cowe, amounting unto, as in the last folio appeares,	096 : 15 : 04
4 pieces of polaines ffor sailles ffor shallops, at 25s per peice,	005 : 00 : 00
1 quoile of cordage,	001 : 16 : 00
2 Bendes of Lether,	001 : 16 : 00
8 conias coft with there cubbes,	001 : 04 : 00
Compaffes,	000 : 18 : 00
Georgius agricolæ,	000 : 12 : 00
Spices and mustard feed,	000 : 18 : 03
Summa is, as appeares,	109 : 00 : 01
Charges here,	010 : 19 : 11
More, 25/ per centum ffor disbursing the monie and bearing the advent ^r ,	030 : 00 : 00
Summe to ball. is	150 : 00 : 00

These things you are to deliver to the Governour, Capt. Walter Neale, he giving you good beaver ffor them, at 6s per pound, if Capt. Neale needs them not, or cannot pay you for them, then you may dispose of them otherwise for Beaver as occasion offereth.

4 bar. oatmeale, con[taining] 22 bush. 3 pecks at — (rec. 3 bar.)

FFERD. GORGE,
JOHN MASON,
JOHN COTTON,
HENRY GARDNER,
EDWIN GUYE,
GEO. GRIFFITH,
THOS. WARNERTON,
THO. EYRE,
WILLIAM GYLES.

P. 3. More: There is in the ffatt where the kettles are, two rolles of Virginia tobacco, which I rate at 12d per pound. I pray put them off in the best manner you can, and put the returnes amounge the adventur^e.

Yours,

THO. EYRE.

Carpenters tooles, clinch nayles, etc., for the Pinace we reckon not.

[Endorfed] Invoice of comodities 17 November, 1631, to Jn. Raiman, purser of the Pide-Cow, to sell for present paye. No. 9.

— New Hampshire Provincial Papers, Vol. I. pp. 63-65.
From Province Records. Book I. p. 1.

L. SCOTTISH STATUTES RELATING TO FISHING, AND MASON'S OBSERVATIONS.

K. James 6^e Par: 4th Chap: 60th

ITEM ffor as much as it is heavily complayned how that y^e whole flayers of all kinde of ffishes within this Realme, not regarding the Acts made by our Sovereigne Lords dearest predeceffors of before,

W^{ch}

w^{ch} is, that when Herring and white fish is flaine, they ought to bring the same to y^e next adjacent Burrowghs & Townes wherein the persons slayers thereof dwells; To the effect that our Sovereigne Lords Leiges may be first served, and if abundance occurred, that they might be salted, & transported by free Burgeffes. Through not doing whereof our Sovereigne Lord is greatly defrauded of his Customes, & his highnes Leiges want the fruite of the Sea, appointed by God for their nourishment, & the Burgeffes & free men of Burrowes disappointed of their traffiques & Comoditie.

Therefore our Sovereigne Lord, wth advice and Consent of his Regents Grace, the three Estates & whole body of this present Parliament, Ordaynes, that all manner of ffishers y^t occupys the Sea, & other persons whatsoever, that happens to slay Herring, or white ffish vpon y^e Coast or wthin the Iles or wthout the same wthin the ffirthes, bring them to free Ports, therein to be fould Commonly to all our Sovereigne Lords Leiges, & the rest to ffree men, whereby his Ma^{ties} Customes bee not defrauded, & his Highnes Leiges not frustrate of the Comoditie appointed to them by God — vnder the paine of Confiscation & losse of the Vessells of them that comes in the contrary hereof, and Escheating of all their moouable goods to our Sovereigne Lo^d vfe.

This Act is further confirmed in the sixt Parliament of K. Ja: 6^e Chap: 86. & in the 8th Parliament of K. J. the 6^e Chap: 141 forbidding all vnfree men to sell their fish to any strangers or to be transported by themselu[e]s vpon paine of Confiscation of all their moouable goods.

K. James 4th Par. 1^e Chap. 3^d

ITEM It is Statuted and ordeyned that in time to come all manner of Shippes strangers & others come to the Kings free Burowghs, such as Dunbarton, Irwin, Wigton, Kircowbright, Renfrew; & others free Burrowghs of the Realme, and therein make their Marchandize And that y^e said strangers buy noe fish but salted & barrelled nor
buy

buy noe other Merchandize but at free Burrowghs, & therein pay their Dutyes and Customes & take their Coquetts as effaires.

And that they make noe Merchandize at Lewes nor other places but at free Burrowghs as said is. And that none of our Sovereigne Lords Leiges take Shipps to freight vnder colour to defraud our Sovereigne nor his Leiges vnder the paine of losse of their liues & goods; And that noe strangers doe in the contrary vnder the paine of Confiscation of their Shipps & goods to our Sovereigne Lo^r vlc.⁸⁸⁷

Underwritten by Capt. Mason : —

Albeit theis acts of parliament are Strict against Strangers which English weare then houlden to be at the tyme of m[a]kinge the 1st Acts; yett it is in the power of the K. to dispense [w]th theis acts vntill an other parliament when they may be al[t]ered and English excepted wth a proviso: And in the meane t[y]me his ma^{ty} maye purchase the Iland of the Lewes, and proclayme free libertie of fishinge to all his subiects of Scotland as they have inioyed the same in former tymes, att Sea & on shoare to pack & peale payinge his ma^{ty} for the Ground leave such dewties as is p^d vsually to the Lord of the soyle in the like cafes. And wth Consent of M^r Jhon Haye & the Commissioners for the Burrowgh Towns his ma^{ty} wthout question maye erect a perticular fissherie for his highnes vse and such as shall ioine in adventure wth the Kinge & Impleye such Shipps & men as his ma^{ty} shall please in the same; but Scottish fisshers will be fownd most apt for the service & best cheape to be hyred.

yo^r Honors humble servant

JHON MASON.

[No addrefs or endorsement]

— State Papers, Domestic. Charles I. Vol. CCVI. N^o 49.

LI. MASON

⁸⁸⁷ These extracts are from the *Statutes of Scotland*. In the abstract of this paper in the *Calendar of State Papers, Domestic*, 1631-1633, pp. 237, 238, the editor, John Bruce, F.S.A., confid-

ers Capt. Mason's Observations to be addressed to Secretary Coke. There is no date to the paper, but Mr. Bruce places it conjecturally under the year 1631.

LI. LAKE TO MASON.

FEBRUARY 18, 1631-2.

CAPTAIN MASON

My Lo: pleafure is that you fhould moou the board for an order vpon the priuy feale dormant, to warrāt my Lo: for payeing of 279^{li} or therabouts to S^r Edw: Horwood for his entertainment at Cales⁸²⁸ voyage. So I reft

Yo^r very Louing ffreind WIL LAKE.

WHITEHALL. Feb. 18. 1631.

[No addrefs.]

[Endorfed] february 1631.

ffrom M^r Lake touch-
ing Coll: Horwood.

— State Papers, Domestic. Charles I. Vol. CCXI. N^o 59.

LII. GORGES TO MASON.

MARCH 18, 1631-2.

S^r

I perceau by your lettre of the xiiijth of this instant y^t there is ariued a Shipp att Plymouth lately come from the Dutch Plantacion in the partes of New England, and the courfe you haue taken for the ftaye of her vntill the pleafure of the State bee further knowne, wherein you haue done exceeding well, as for the le[ttr]e you write vnto mee for, I haue it not heere to fend you, neither doe I thinke it of anie great moment if I had it, for the matter wee are to ftand vpon is the Juft tittle his Ma^y hath vnto thofe partes, both in refpect of the firft difcouery thereof by fubiectes of this Nation, the Primer fet fure, and the actuall poffeffion thereof by vertue of the feuerall Patents graunted from their Ma^{ties} the Kinges our Soueraignes, w^{ch} I affure my felfe they nor their Maifters will not goe about to annihillat, or
make

⁸²⁸ *Cales* is another form of *Cadis*; and it is printed *Cadis* in the *Calendar*.

make void. Besides you may remember that it pleased his late Ma^{ty} Kinge James of famous memory to giue order to his Ambassatour wth the States of the vnited Provinces to question by what authority any of their subiectes tooke vpon them to haue to doe in those limittes w^{thout} his Lycence, To w^{ch} they aunswered that they knew of none of theirs that offended therein, but if there were any such, it was out of their private adventures, and not by any authority deriued fr[om] them, neither had they anie purpose to iustefie their proceedings therein, as more at large it may appeare by the Ambassatours aunswere made from them in y^r behaulfe as is well knowne to my Lord of Arundell and diuers others of the Lords.

ffor my owne part I am as sory as you are I cannot bee soe suddenly att London as you desire I shold bee but imediatly after Easter God willing I will come vpp, onely to putt those businesse in the way it ought to bee in, both for the honor of his Ma^{ty} and State, and the particuler benefitt of our selues being soe farr ingaged therein as wee are.

As for the partie you write of that hath lived wth the Dutch soe longe time I wish you would not omitt to keepe him on reasonable condicions vntill my comeing vpp, in the meane while that you will informe your selfe of the strength they haue where they live, how fortified, & prouided for, how farr vpp into the Maine they bee, what other Commodity they finde besides their Trade of furs, what Cattle, what Horses, and what carriages they make vse of wth what people th[ey] hold Coraspondancy wthall, and what Enemye[s] they haue, and in what partes of the Country thei[r] Enemyes or freinds are,

That you vse your best meanes to prolonge the staye of the Shipp att Plymouth, till the Lords may bee thorowly satisfied from vs, of the Consequence of those businesse, and how fitt it wilbee they bee prohibited the Trade of those partes for many Reasons not suddenly vnderstood; besides the Dishonour offred his Ma^{ty} to Trench on his Ma^{ties} Terretories w^{thout} leaue, as in case of that nature ought to bee fought for, his Ma^{ty} haueing prohibited his owne subiectes, not free
of

of those Terretories, from presuming to frequent those partes wthout Lycence first had from the Councell for those Affaires.

What is more to bee done for the present I must leave to your owne Judgem^t that knowes aswell as my selfe what course to take therein, assuring you there shall bee nothing wantinge in my powre for the making good of our Vndertakings; for the sending, or bringin[g] of the Horſes promised by my Lord Gorges, and my selfe when you finde the time fitt for it, lett me knowe as much, and I will not prolonge the dispatch of them from theise parts, I lately write to M^r Eyre my owne Refolucion w^{ch} I will make good, lett others doe as they will, and I hope you will not dispaire althoughe you finde a Couldnes in such as yett vnderstands not the busines aright, I rec^d a lettre from M^r Eyre, and by it I vnderstood, how my Lord of Warwick had Nobly promised to doe for the furtherance of our purpose, to whome I hope you will apply your selfe att this present for to second the following of the Lords as cause shall require, att my owne Cominge vpp you shall see I will putt more life to itt, then heertofore I seemed to doe, as haueing euery day more and more reason ſoe to doe; lett this longe lettre to you excuse my not writing to M^r Eyre att this time, (for it is now late, and my wife not very well), to whome I desire to bee remembred, and ſoe to you and to your bedfellow assuring you of mee as of

Your true freind to b[ee] Commaunded FERDE GORG[ES].

BRISTOLL the 18th
of March 1631.

[Addressed] To his very loveing freind Captaine
John Mafon att his house att
Debtford theis d^d

Leaue this lettre att M^r Thomas Eyres his house in ffanchurch street in an alley entring in at the signe of the Tallowchandler to bee d^d as abouesaid.

— State Papers, Colonial. Charles I. Vol. VI. N^o 44.⁸²⁹

LIII. MASON

⁸²⁹ No. 64 in the same volume is a Mr. Sainsbury gives this abstract: document dated June, 1632, of which "Warrant to Sir James Bagge for release

LIII. MASON TO COKE.

APRIL 2, 1632.

RIGHT HONORABLE

In y^e yeare of o^r Lord God 1621, or thereabouts certaine Hollanders were upon the coast of New England trading wth y^e Indians betwixt Cape Codd and Bay de la Warre in 40 degrees of Northerly latitude, being a parte of that country which was granted to Sir Walter Rawleigh by Queene Elizabeth in Anno 1584, and afterwards to diverse of her subjects under y^e title of Virginia; which countrey was divided by agreement of y^e Virginia Company, and the North East parte thereof confirmed afterward by King James in Anno 1606 to y^e President and Counsell for y^e Plantations there, which have beene settled in Virginia on y^e one hand to the Westwards, now about fortie yeares; and in New England on the other hand to y^e Eastward above 25 yeares since. The sayd Hollanders as Interlopers fell into y^e middle betwixt the sayd plantacōns, and at their returne of their voyage, aforefayd, published a Mapp in y^e Low Countries of y^e sayd sea coaste comprehended betwixt Virginia and Cape Codd, und^r y^e tytle of New Netherlands, giving y^e name of y^e Prince of Aurange to y^e countrie and river of Manabata, where y^e Dutch are now planted, (w^{ch} sayd countrey was many yeares before discovered by the Englishmen

lease of a Dutch ship the *Endraught* of Amsterdam, belonging to the West India Company of Holland, which coming from the river Manhattan in New England was stayed at Plymouth in February last. The King at the earnest request of the Ambassador from the United Provinces is pleased to release all the

goods and merchandise of the ship, notwithstanding His Majesty's right to the territories whence they came; but declares if the Dutch remain there without his licence, they shall impute it to themselves if hereafter they suffer."—*Calendar of State Papers, Colonial*, Vol. I. p. 154.

men in their voyages to Virginia) and giving other Dutch Names to other places to y^e Eastward of y^e sayd Manahata river as farr as Cape Codd ; all w^{ch} had beene formerly discovered and traded unto diverse tymes by sev^{all} Englishmen, as may be proved. And S^r Samuell Argall Kn^t wth many English planters were p^{re}pareing to goe and sitt downe in his lott of land upon y^e sayd Manahata river at the same tyme when the Dutch intruded, w^{ch} caused a Demurre in their p^{re}ceding untill King James, upon complaint of my Lord of Arundell wth S^r Ferdinando Gorges Kn^t and the said S^r Samuell Argall (form^{ly} Gov^r of Virginia) and Cap^t John Mason, of y^e sayd Dutch Intruders in An^o 1621 had by his Ma^{ties} order a l^{re} to y^e Lord of Dorchester their Ambassado^r at y^e Hague, questioned the States of y^e Low Countries for that matter. Which y^e Lords y^e States by answer (as I take it) of their ambassado^r Sir Nowell Carronne did disclayme, disavowing any such act that was done by their people wth their authority : w^{ch} my Lord of Arundell and I thinke y^e Lord Baltimore (then Secretary of State) doe remember, and S^r Ferdinando Gorges and Captaine Mason can witnesse y^e same. Neverthelesse y^e yeare following, w^{ch} (as I take it) was 1622, the sayd Dutch under a pretended authority from y^e West India Company of Holland, maintayned as they sayd by commissiion from y^e said Prince of Aurange did returne to y^e foresayd river of Manahata and made plantation there, fortifying themselves there in two severall places, and have built shipps there, whereof one was sent into Holland of 600 tunnes or thereabouts. And albeit they were warned by y^e English plantation at New Plymmouth to forbear trade and not to make any settlement in those partes, letting them know that they were the territories of y^e King of England, yett nevertheles with proude and contumacious answers (saying they had commissiion to fight against such as should disturbe their settlement) they did persist to plant and trade, vilefying o^r Nation to the Indians and extolling their owne people and countrye of Holland, and have made sundry good returnes of commodities from thence into Holland :

Those l^{res} of y^e
Lords do beare
date the 15 of
December 1621

especially this yeare they have returned (as it is reported) 15000
Beaver Skynnes, besides other commodities.

Yo^r Ho^r humble Servant

JHON MASON.

APRIL 2

1632

[Endorfed by Sir John Coke, Secretary of State]

Cap: Mason Concerning
the Hollanders in Virginia.

— New York Colonial Documents. Vol. III. pp. 16, 17.
From British State Papers. Trade Papers X.

LIV. GORGES TO MASON.

APRIL 6, 1632.

SIR

On Thursday night I receaved yours of the 30th of March, by w^{ch} I understand howe you have p^{re}ceeded against those of the Dutch plantac^on. I am glade the busines is before the Lords. I hope they will not bee over hasty in concluding a businees of that nature, considering howe much it concernes both the honor of the Kinge and State to make good the interest they have therein. You shalbee assured I will not p^{re}tract any time of my coming upp, butt I must acquaint you with an unhappy accident that befell mee the same day I receaved yours. For haveing bene wth my Lord Pawlett and divers others of my private friends att a horse race, I tooke a fall from my horse, and am now in soe much extremetie of paine, as I am not able to move or stirr, but as I am helped by maine strength of my f^rvauntes; notwthstanding, by Gods favo^r I hope to bee wth you in very shorte time, what shifte soever I make to travell. I am fory to heere you are so poorely seconded in a matter soe just and hon^{ble}. I conceive you may have from M^r Shirly a copy of that w^{ch} came to my

my hands from those of New Plymouth, wth more pticulers than came to mee. Itt may please you that hee may bee spoken wth about it. I doubt not but att my cominge, I shallbee able to give both his Ma^{ty} and the Lords sufficient satisfaccōn for to fortifie the justefyinge (not the stay of the shipp onely) but to prosecute their displanting from thence. And that w^{ch} is now to bee desired is, that wee may bee heard to speake before ought bee done for the shippes dispatch. I hope you will make some shifte to send away the horses I sent you before the receipte of Mr Eyres to the contrary for I knowe they wilbee of more service and worth then any of you will serve your selves wthall att the Islands: besides heere is noe shipping that goes from hence till towards the winter quarter; but what you doe betweene you, shall please mee, though I desire extreamely they may goe att this present, though it were wholly on my owne accompte for their transportacōn wth the horses. Lett this suffice I pray you for this present, for that my paine will suffer mee to say noe more att this time, save only I beseech you to remember my humble service to my Lord Marshall and to lett his hono^r knowe the misfortune that retaynes mee from attending His Lo^{pp}: soe soone as my harte desires, and soe much you may bee pleased to lett my Lord of Warwick knowe in like manner, wth the remembrance of my service to his Lo^{pp}. beseeching him not to bee slacke wherein you knowe his helpe may further the best wee shall gaine thereby wilbee the knowledge of what may bee expected from him hereafter; and so I committ you to God and rest

Yo^r assured loveing friend

FERD GORGES.

BRISTOLL the 6th
Aprill 1632.

To his assured loveing friend
Captaine John Mafon att his
houfe at Debtford p^{re}sēt theife.

— New York Colonial Documents. Vol. III. pp. 17, 18.
From British State Papers. Trade Papers, X. 2.

LV. MASON

LV. MASON AND OTHERS TO VAUGHAN.

APRIL 18, 1632.

MR. GEORGE VAUGHAN :

LONDON the 18th of April 1632

Pure trade comodities now shipped aboard of the ship John, are as followeth :

	£	s.	d.
158½ yards of playnes at 18d per yard,	11	17	09
65½ goads of cotton at 2s per goade,	06	11	00
59½ goades at 16d per goade,	03	10	08
59½ goades at 2s 1d per goade,	06	03	11
90½ yds. of fhagge at 18d pr yd,	06	15	09
51 at 22½d per goade,	04	15	09
3 Greye ffrises at 50s per pe,	07	10	00
55 blanketts at 12s pr. pe.,	33	00	00
4 courfer at 10s per pe.,	02	00	00
1 piece of flannel yards 17½ at 12d per yd.,	00	17	06
In all to send us by y ^r cofin Kinge,	83	10	04
1 piece of copall bayes 64 yds. at 15d per yard,	04	00	00
	87	10	04

These comodities were as you know, all but the three ffrises, one cotton and the piece of flannell, by your taylor made into coates and stockings, viz :

50 men's coates,	
24 children's coates,	
51 waftcoates,	
3 calkots and hofe and	
7 dozen and 7 paire of stockings,	
The dyeing and dressing cost	07 : 10 : 00
Threed, tape, buttons, lace,	02 : 11 : 06
To the taylor for making.	08 : 01 : 00
20 paire of sheetes cost	10 : 01 : 07
packing, canvas, cartage, custum houle,	01 : 15 : 07
Summa,	117 : 10 : 00

P. 6. The comodities mentioned in the last folio are packed as you know in nine bales, marked all with a P, viz :

No. 1. 20 blanketts,	No. 7 16 men's coates,
2 20 blanketts,	8 24 children's coates and
3 19 blanketts,	43 wafcoates.
4 1 cotton qts. 82½ yds.	In your own trunk,
3 ffirifes qts. 20½, 21, 22 yds.	3 mens coates,
20 paire of sheetes,	8 wafcoates,
5 16 men's coates,	3 suites caffocks and hofe,
6 16 men's coates,	1 peice of fflannel red.

So the whole number of coates for men wth 1 for y^r owne th' remained of a former voyage are 51. When God fhall fend you safe arrival, repaire we pray you unto Captaine Naile, we have written unto him to deliver these comodities unto you and fuch other trade goods as he can furnifh you wth there of others if you defire them, and then we pray you to put them off for good beaver. Also we pray you to help us there w^t you can in difpeeding hither o^r returnes. And then if you thinke good to come unto us for another fupplie we fhall like it well. Thus we commende you to God.

Your loving friends,

JOHN MASON,
HENRY GARDINER,
THO. EYRE, for the reft
of the Adventurers.

[Endorfed] Mr. George Vaughan's
remembrance or the company's
Invoice of trade goods, 1632, No. 10.

— New Hampshire Provincial Papers. Vol. I. pp. 66, 67.
From Province Records. Book I. p. 5.

LVI. MASON TO NICHOLAS.

JUNE 14, 1632.

M^r NICHOLIS

It is my Lord Treasurers pleasure that yow : take this petition in to your Care, To be Recommended to the Lords Commissioners for the Admiraltie, ffor a Purfers place amongst som of the new Shippes to be built, or in som other Shipp of the Navie which may fall voyd.

yo^r verye lo: frind

JHON MASON.

JUNE 14th. 1632.⁸⁸⁰

[Endorsed] The humble petition of Richard Hals purfer of his Ma^{ties} shipp the S^t Claud.

— State Papers, Domestic. Charles I. Vol. CCXVIII. N^o 51, I.

LVII. MASON ON FISHING IN THE ISLE OF LEWIS.

1632.

Captaine Mafons oppinion how the Stocke to be raised by the Associats of the Right Honorable the Lo: highe Th̃rer of England for the Intended fishings in the Isle of Lewes ought to be Employed.

1. The Associats ought to be naturalized Scottishmen and made Burgeffes of a free Burrough to be Created at Sternoway in Lewes According to an Act of Parliament of King James 6th that they may be Capeable of any trafficqe to those parts as well as fishing.

2. That

⁸⁸⁰ This is underwritten on the pe- *St. Claude*, that he be appointed to the
tition of Richard Hals, purfer of the new ship now building at Deptford.

2. That the King purchase the Isle of Lewes from the Earle of Seafort in whole or in part In Lewe wherof his Ma^{ty} may giue other Lands of the Crowne of Scotland according to the Vallew as I shall shew his Ma^{ty}, which lye more Conuenient for the Earle. And foe the Kinge to haue the whole benefitt of the Towles or petty Customes of the fishings of that Island, or otherwise his Ma^{ty} to sett downe a rate reafonable for all Aduenturers to pay for the vse of the Harbors and grownd Leaue for packhoufes and drying netts.

3. The Harbors and Loughs on the maine Land opofite to the Lewes must be free for our fishings with Grownd Leaue alsoe as in the Lewes to which End the Kings letters must be obtayned to the propriettors of those places and the Th^{er} to make Composition with them, The fishings of the Isles of Orknay and Shettland are free being the Kings land.

4. The King to bestowe 10 peece Iron ordnance with Powder and shott sufficyent from tyme to tyme for maintenance of a ffort vpon the Island in Sternoway The Captaine and Souldiers shall be paid at the charge of the generall fishers and Inhabitants.

5. Euery Aduenturer may Increase his Aduenture yearlye as he pleaseth but not withdrawe it out of the Stocke without Consent of the Maior part of the Affociats of his Company.

6. All Codd and Linge to be brought to sale in this kingdom for a tyme and Herrings likewise except the Sommer Herrings which are only fitt for the marketts in Muscouia Poland and other places.

7. All fishers Employed in our Shipping or boats shall goe for Shares, And there shares shall be bought at a rate by the Th^{er} to the vse and benefitt of the Affociats and his Ma^{ty} subiects cheifly or all together to be sett on worke.

8. All such fishers as will sell fish to be deliuered fresh at the packhoufes in the Lewes whether they be Inhabitants of the Island or others shall haue a reafonable rate for it for which cause part of the Stocke in mony and victualls and some other Commodities in a magazin must be there.

9. Euery

9. Euery Aduenturer shall haue a bill of Aduenture from the Thſer for his particular and faire books shall be kept of all buyings and Sellings settings out and returnes wherby once in the yeare euery one shall know how his monyes are Employed and how his stocke in that particular stands.

10. It will be necessary that the Aduenturers or the greater part of them meet at tymes to Conferre of their Affaires and to order their Buſſineſſes wherein noe man of them shall be excluded from his vote or to Auoyd the Trubling a multitude a Committee may be chofen out of them and their meetings to be at the house of Captaine Maſon in ffanchurch ſtreet.

11. Seeing this worke doth tend very much to Setting a worke the poore of this kingdome which for the moſt part are now Idle and Vagrants if his Ma^{tie} ſhalbe pleaſed to graunt to this Company in fauour of this their Enterpriſe 6 Ackers of Broomfeild Cloſe neer Deptford for building workehouſes and habitations for the poore that ſhalbe Employed in ſpinning and makeing netts The Cittye of London may be Induced to build the ſaid houſes at their charge, or S^r Henry Martyn out of the mony for Pious vſes may build them in a ſhort tyme and the ſtocke ſhalbe made to ſett the poore on worke by theiſe Aduenturer[s].

[Endorſed] Capt: Maſons paper
how a ſtock is to be raiſed
for fiſhing.

— State Papers, Domeſtic. Charles I. Vol. CCXXIX. N^o 95.²²¹

LVIII. MASON

²²¹ No. 96 is an Agreement to be ſubſcribed by associates and others of the Council and Commonalty of the Society of Fiſhing. No. 97 is an eſtimate of the charges of rigging out one buſs of about 40 laſts to the fiſhing and what profit may be expected from it yearly.

No. 98 is an eſtimate of the expenſe of building 10 buſſes with the furniſhing them for ſea for four months' fiſhing and the profit from it. No. 99 is a map of the Iſle of Lewis, two pages. *Vide Calendar of State Papers, Domeſtic, 1631–1633, pp. 488, 489.*

LVIII. MASON AND OTHERS TO GIBBONS.

DECEMBER 5, 1632.

LONDON, the 5th December, 1632.

MR. AMBROSE GIBBINS :

Your fundrie letters we have received. We do take notice of your care and pains in our plantation and doe wish that others had bin that way, the same that you are, and will, we hope, soe continue. The adventurers here have been soe discouraged by reason of John Gibbes ill dealing in his fishing voiage, and also by the small returnes sent hither by Captaine Neale, Mr. Herbert, or any of their factors, as that they have noe desire to proceed any further untill Captaine Neale come hither to conferr with them, that by conference with him they may settle things in a better order ; we have written unto Captaine Neale to dismis the household, onlie such as will or canne live of themselves may stay upon our plantation in such convenient place as Capt. Neale, Mr. Godfrie and you shall thinke fitt, and after conference had here with Captaine Neale they shall have a reasonable quantity of land granted unto them by deed.

We praie you to take care of our house at Newichewanick, and to look well to our vines ; also, you may take some of our swine and goates, which we pray you to preserve.

We have committed the cheife care of our house at Pascattaway to Mr. Godfrie and written unto Mr. Warnerton to take care of our house at Strawberry bancke, our desire is that Mr. Godfrie, Mr. Warnerton and you should joyn lovinglie together in all things for our good and to advise us what our best course will be to doe another year.

You desire to settle yourself upon Sander's point. The adventurers are willing to pleasure you not only in this, in regard of the good report they have heard of you from tyme to tyme, but alsoe after they have conferred with Capt. Neale, they determine some further good towards you for your further incouridgment.

We desire to have our fishermen increased, whereof wee have written unto Mr. Godfrie. Wee thank you for assisting John Raymond, wee pray you still to be helpful unto him, that he may dispatch and come to us with such retourne as he hath and if he hath any of his trade goods remayning unfold wee have willed him to leave them with you, and wee doe hereby pray you to receive them into your custody and to put them off with what conveniency you canne, and to send us the retournes by the first shipp that cometh. Thus we commend you and y^r wife to the protection of the Almighty

Your loving friends,

JOHN MASON,
HENRY GARDINER,
GEO. GRIFFITH,
THO. WARNERTON,
THO. EYRE, for my children.

[Endorsed] The company
of Laconia to Mr. Ambrose
Gibbins, London, 5 December,
1632. Rec^d the 30th June, 1633.

— New Hampshire Provincial Papers. Vol. I. pp. 68, 69.
From Province Records. Book I. p. 9.

LIX. GIBBONS TO THE LACONIA COMPANY.

JUNE 24, 1633.

AFTER my umble duty remembred unto your worship, I pray for your good health and prosperity; these are certifying your worship for the goods I have received from you. I have delivered unto Mr. John Raymon 76 lb. and 4 ounses of beaver, 10 otters, 6 musquashes and on[e] martin; more that Capt. Neale had 358 lb. and ii ounses of beaver and otter, 17 martins, on[e] black-fox skin, on[e] other fox skin, 3 racoon skins, 14 musquashes, two of them with stones. Mr. Raymon's present departing and the intermixing of all the trade goods

goods in my care, until Mr. Vaughan com I cannot give you any satisfaction for the account of trade. I did advise Mr. Raymon to return with all speede unto you. Your letters I received the 7th of June. At large I wil write, if God wil by the next. Thus taking my leave I commit your worship to Almighty God, from Newichawanick, this 24th of June, 1633.

Your worship at comand,

AMBROSE GIBBIN.

Mr. Raymon has left a noot of perticular debtes which I do not dout but are good, and by his account, say do amount unto 22 pound and $\frac{1}{2}$ of beaver.

[Endorfed] Mr. Gibbens to
the company No. 4.

—New Hampshire Provincial Papers. Vol. I. pp. 73, 74.
From Province Records. Book I. p. 16.

LX. CONTRACT WITH CHARLES KNILL.

JULY 1, 1633.

THIS present writing testifieth that Charles Knill doth covenant, wth Capt. Walter Neale, Governor of Pascattaquack, in New-England, in the behalf of Capt. John Mafon of London, Esqr. and company, that the said Charles Knill shall serve at the plantation of Pascattaquack, for the use and benefitt of the said Capt. John Mafon and company, from the date of this present writing until the first of March next ensuing, during w^{ch} said time, the said Charles Knill doth promise to doe all faithful service to the said Capt. John Mafon or his assignes. And the said Capt. Walter Neale doth promise in the behalfe of the said Capt. John Mafon, that the said Charles Knill shall well and truely be paid for his service during the said time, the somme of fixe poundes, either here in New-England or in any other place
where

where the said Charles Knill shall conveniently appoynt, and the said Walter Neale doth further promise in the behalfe of the said John Mason, Esq. and company, that the said Charles Knill shall have passage into England the next yeare after the said terme expires, in any such shipp as shall be sent hither for this plantation, provided that the said Charles Knill shall serve in the aforesaid plantation untill the shippes departure (if it shall be soe required) after the rate aforesaid. In testimony whereof the said Charles Knill hath here unto subscribed, this first of Julie, 1633.

This is the true coppie of the covenant between Capt. Walter Neale and Charles Knill in the behalfe of the company.

— New Hampshire Provincial Papers. Vol. I. p. 75.
From Province Records. Book I. p. 18.

LXI. TRADE GOODS AT NEWICHWANOCK.

JULY, 1633.

An estimate of the trade goods left at Newichawanicke, July, 1633.

	£	s.	d.
17 lined cootes,	17	00	0
7 unlined at 15s per peece,	05	05	0
11 ruggs,	11	00	0
5 papoose cootes,	02	10	0
2 waft cootes,	00	08	0
16 mouse cootes,	16	00	0
3 cootes lined,	03	00	0
14 mouse cootes at 15s pr peece,	10	10	0
30 gallons of aqua-vity,	07	10	0
6 pare of ould sheetes,	03	00	0
on rugg,	01	00	0
	77	03	0
	<hr/>		
	14 waft cootes		

	£	s.	d.
14 waft cootes at 4s pr. peeſe,	02	16	0
39 men's cootes,	39	00	0
6 barnſtable ſoyled ruges,	06	00	0
26 rotten blankits,	05	00	0
19 pare of ſtokins at 1s 6d pr. peeſe,	01	08	6
71 pare of ſtokins 1s 4d pr. pa.	04	13	8
32 ſhirts ould and new at 4s pr. peeſe,	06	08	0
51 pare of ſhooes at 2s 6d pr. pare,	06	07	6
24 pare coorſe rotten ſtokins,	01	04	0
4 kittles,	03	00	0
29 hatchits, at 2s pr. peeſe,	02	18	0
14 pare of rotten ſhooes,	01	00	0
	79	15	8
	77	03	0
	156	18	8

[Endorſed] An eſtimate of the
trade goods, 1633.

— New Hampshire Provincial Papers. Vol. I. pp. 74, 75.
From Province Records. Book I. p. 17.

LXII. GOODS BELONGING TO THE LACONIA COMPANY.

JULY, 1633.

Goods left by Mr. George Vaughan.

Imp. 17 linde coats,	3 coats lined,
7 unlinde coats,	14 mouſe coats,
11 ruggs,	7 ould ſheets,
5 papooſe coats,	30 gall. aqua-vitæ,
2 was coats,	1 rugg.
16 mouſe coats,	

For theſe I have given a refeit to George Vaughan.

Goods

Goods left belonging to the old store and left by Mr. Raymond.

14 was coats whereof 1 of the old store,	20 rotten torne blanketts,
39 men's coats,	6 rotten blanketts.
6 Barn. foyled ruggs,	

In the store house at Newichawanick.

19 pr. of stockings,	2 doz. of coorse rotten stockings,
5 doz. and a 11 pr. of stockings, course,	4 kittles,
32 shirts old and new,	2 doz. and 5 hatchets,
51 pr. of shoofe,	rotten shoes 14 pr.

These things I have given a reseit unto George Vaughan to satisfie the company in England.

[Endorfed] Note of the trade goods that remain at Newichawanick, 1633, and also George Vaughan, the company's factor.

NEWITCHWANICKE, 1 D. of Julie, 1633.

In the Garrett.

Imp. 3 flock beddes,
 3 boulsters,
 8 ruggs,
 2 pr. of sheets,
 3 whipp sawes,
 1 frame sawe,
 1 roade
 1 herring nett,
 1 runlett with bone ashes and crucibles,
 2 hand saws,
 1 adz.

1 flock bedd and boulster,
 3 ruggs, 2 blanketts, 1 pentadoe,
 5 pr. of shoes,
 6 napkins,
 2 short table cloths.

In the Great House.

In the Middle Chamber.

3 caffocks and 3 pr. of breeches, of cloth,
 6 stuff wascoates,

3 ruggs and 2 pentadoes,
 16 fishing lines,
 10 squidd lines,
 13 mackerill lines,
 4 knotts twine,
 4 knotts chalke line,
 3 pr. of stuff breeches,
 4 stuff wascoates,
 2 sacks,
 $\frac{1}{4}$ of a barr. of powder,
 2 shovells,

1 Steele

1 steele mill,
11 chifells of sev'all foartes,
2 pr. of pinchers,
4 augurs,
2 gunstock boryers,
1 spike gimblett,
2 hammers and 2 irons,
1 mafon's hammer,
3 iron wedges,
2 hookes,
1 stone hammer,
2 felling axes,
1 pr. of bellowes,
15 recorders and hoeboys,
30 pr. of linnen stockings,
5 canvis fuites,
19 pr. of leather stockings,
6 calfe skinns,
8 linnen capps,
24 towels,
10 plaines of sev'ral foartes.

In the Little Roome.

3 hatts,
1 boulster feathers,
1 fishing line,
1 mackerill line,
3 pewter bottles,
2 drame cupps,
2 hand-bills,
2 padlocks,
1 small bagg containing aules, great
needles, hob nayles and sparables,
7 musketts,
3 carbines,
6 pr. of bandoleers,
1 carbine bagg,
6 swoards and beltes,
2 bundles match,
1 fowling piece,
1 bason,
2 platters,
2 porringers,
2 spoute potts,
1 qt. pott,
1 pinte pott,
1 iron kettle,
1 brasfe kettle,
1 iron pott,
1 iron griddle,
1 frying pann,
1 gridiron,
1 pr. of pott-hookes,
1 pr. of racks,
1 glue pott,
1 pestle and mortar,
1 murtherer
2 chambers,
1 old kettle,
1 iron ladle,
3 pick axes,
2 iron crows,
1 washing bowle,
1 pr. of ballance and
1 4lb. waight,
9 bushells of meal and corne,
1 iron bound pale,
24 fwine great and small,
7 hens, 2 cocks and chickings,
1 grind stone,
1 psalter.

Received

Received from Mr. Card.

2 old roaps,	1 chifell,
1 frying pann,	1 calkin iron,
1 augur,	1 hatchett,
1 adz,	1 old fishing line,
1 broken hand-faw,	rec'd 72 foote of wampampeag,
1 thwart-faw,	1 communion cup and cover of silver,
4 irons for boats,	1 small communion table cloth.
1 gouge,	

Rec'd from Capt. Cummack.

1 w't rugg,	1 small — [defaced],
1 pr. of tonges,	1 small bristow carpetin,
1 fire shovell w'thout handill,	1 flock-bed and boulder,
1 pr. of bellows,	2 flock-bed and boulder,
1 lamp,	1 green rugg and 1 blanket.
1 old kettle,	
1 old pewter bowle,	
1 porringer,	
1 spoute pott,	
1 small cann,	

Also rec. of Capt. Neale.

16 pr. of childrens stockings and
52 pr. of a larger.

Inventory at Newichawanake, 1633.

At Pascattaguack 2d Julie, 1633.

<i>Imp.</i> 28 cassocks,	1 still and worrne,
19 pr. of breeches,	20 prs. of shooes,
18 canvis cassocks,	codd lines 23,
2 boultis of canvis,	twaine flipps 4,
7 hamecks,	1 old redd wascoate,
6 stuf cassocks,	1 butt w ^h 5 nets in it,
8 wt. hatts,	beaver spears —? 6 doz. and 10,
7 balls of cotton,	scraps 5,
$\frac{1}{2}$ a hide and 2 peices of shoo leather,	4 old tinfes?
1 watering pott for a garden,	ruff and clinch in 3 barrels,

fome

some nayles and sparables,
 spout potts 5,
 4 leaves of tinn,
 a little trunk with 13 band,
 some hooks and eies,
 hoeboys and recorders 26,
 1 anvill,
 1 hhd. of match,
 1 budge barrell,
 codd lines not-band 10,
 stockings pr. 4,
 $\frac{1}{2}$ a ferkin of muskett bullets,
 thwart sawes 3,
 7 aule blades,
 1 baking iron,
 munmorth capps 3,
 1 barrell w'th some spickes,
 2 doz. and $\frac{1}{2}$ small blocks,
 dead-mans dies doz. 1,
 a small quantity molaffes,
 plane irons small 16,
 plane irons great 4,
 hasps for doors 7,
 tapp boarers 4,
 chiffells 13,
 1 sett for a saw,
 hammers 4,
 calkin irons 4,
 old hatchetts 5,
 augurs 15,
 bung borers 2,
 iron pott 1,
 iron wedges 6,
 1 bed and boulster,
 1 rugg,
 1 blankett,

barrs of iron 6,
 steele barrs 3,
 leads for codd lines 24,
 old kettles 3,
 yarfee? stockings pr. 9,
 mackerill lines doz. 2 and 3 lines,
 chalk lines knotts 3,
 feathers 1 q.
 bitts doz. 2,
 small files 41,
 bigger files 3,
 rasps 5,
 copp nayles 57,
 10 brafs rings,
 poynts doz. 5,
 gang hooks for cott 11,
 small hookes 4,
 several papers needles of sevr'l
 foartes,
 small scales pr. 1, with waights be-
 longing,
 redd bayes yards 18 $\frac{1}{2}$,
 fpitt 1,
 leads for netts 20,
 billbowes 1,
 codd lines band 6,
 11 furnace barrs of iron of 2 foote,
 shott moulds pr. 1,
 3 augurs,
 1 tinn funnell,
 1 pint pott, melted,
 pewter bottles 2,
 leather bottles 2,
 2 drame cups,
 1 old axe,
 1 bagg of wier hookes,

mill pecks 3,
 chifell 1,
 1 iron gimblet,
 1 markin iron,
 1 sea compasse,
 oat meale $\frac{1}{2}$ a bushell,
 10 bushells of meale,
 2 butts of mault,
 19 pounds of candles,
 smith's tools of sev'rell soartes,
 mason's tooles,
 1 pick axe,
 1 barrell and $\frac{1}{2}$ of pease,
 1 iron crow,
 old boults and other old iron,
 1 bedd, 2 boulsters,
 2 ruggs, 2 pr. of sheetes and
 1 pentadoe,
 1 bedd and boulster and
 1 greene rugg,
 1 old seane,
 10 herring netts,
 1 spiller,
 3 platters pewter,
 1 whipp saw,
 1 thwart saw,
 1 barrel of match,
 1 drume,
 2 barrels of powder,
 2 roades
 2 herring netts and
 2 seanes,
 1 quoile of roapes, inch 2 and $\frac{1}{2}$,
 1 bedd and boulster and
 2 old blanketts,
 1 bed and boulster and 3 pr. of sheetes,

1 pentadoe,
 1 new saffer? 3 inch and $\frac{1}{4}$ of an
 inch,
 3 flock beddes,
 3 boulsters, 3 ruggs,
 1 blankett and 1 pr. of sheetes,
 2 pentadoes,
 1 bedd and rugg,
 4 basons,
 6 platters,
 3 saucers,
 2 porringers,
 1 quart pott,
 1 jack of leather to drink in,
 1 stue pann,
 1 jack to roast meate,
 2 spitts,
 1 iron skillett,
 3 kittles,
 1 brasse ladle,
 2 fryings pannels,
 1 mustard-quarne
 2 iron potts,
 3 pott rackes,
 2 pott hookes,
 1 flesh hooke,
 1 grater,
 1 iron bound paille,
 3 great iron mortar and pestle,
 1 great wire,
 1 beake horn,
 1 anvall,
 1 sledge,
 2 hammers,
 1 pr. of great bellows,
 1 furnace,

1 steele mill,	4 carbines,
1 old blankett,	19 hedd peices,
1 crewitt,	6 holbards,
1 old ole kittle,	3 harrabuff-acrocks?
1 grinde stone,	2 rawenetts,
1 barr. and $\frac{1}{2}$ of pitch,	2 muck-herers,
$\frac{1}{2}$ a barr. of tarr,	4 chambers,
2 crowes of iron,	18 pr. of bandaleers,
1 bedd and boulster, 4 ruggs,	1 great anker,
1 pentadoe,	10 cowes and 1 bull and 2 calves,
1 pitch kettle,	goates, No. 8,
3 cleaver wedges,	hoggs No. —
planke pine 151,	fugar 61 lb.
2 sackers,	1 bedd and boulster,
1 minion,	3 ruggs,
1 falcon,	blankett,
3 ladles,	1 bedd and boulster,
3 spounges,	2 ruggs,
2 scowrers,	3 planes,
shott,	1 chifell,
20 lbs. of leafe tobacco,	50 boards,
1 pewter dish,	5 bedds,
18 swords and 4 swoards at Mr.	5 boulsters,
Warnerton's house,	8 ruggs,
9 belts,	2 pr. of sheetes,
3 carbine baggs,	1 iron pott and pott hanger,
5 carbines,	2 kittles and 1 old one,
6 flasks,	1 fowling peece,
10 spoones,	1 carbine,
1 short carpitt,	1 pewter dish,
bristow carpetine for a bedd,	1 bafon,
redd and wt. boulster for a bedd,	1 pewter qt. pott,
tongues, bellows and andirons of each	1 thwart saw,
1 pr.	1 spitt,
21 musketts,	1 pentadoe,
2 fowling peices,	1 grinde stone,

poltrey

poltrey,
2 carpitts,
2 service bookes,
connies No.

boates, roades? sayles, netts,
2 chirurgeons chefts and
24 bowles in them,
2 chamber potts.

— New Hampshire Provincial Papers. Vol. I. pp. 76-80.
From Province Records. Book I. pp. 20-22.

LXIII. GIBBONS TO THE LACONIA COMPANY.

JULY 13, 1633.

NEWICHAWANICK, July the 13th, 1633.

RIGHT HONORABLE, RIGHT WORSHIPFUL, AND THE REST, MY HUM-
BLE SERVIS MEMBERED.

Your letter dated the 5th of December, and Mr. Are's letter the third of April, I received the seventh of June. The detaining of the former letter hath put you to a great charge in the plantation: For my care and paines I have not thought it much, although I have had very little encoragemint from you and here. I do not doubt of your good will unto mee. For your fishing, you complain of Mr. Gibes. A Londoner is not for fishing; neither is there any amity betwixt the West cuntrimen and them. Bristo or Barnstable is very convenient for your fishing shipes. It is not enough to fit out shipes to fish; but they must be fure (God wil) to be at their fishing place the beginning of Febuary, and not to come to the land when other men have halfe their viage.

Mr. Wanerton hath the charge of the house at Pascatawa, and hath with him William Cooper, Rafe Gee, Roger Knight and his wife, William Dermitt, and on boy. For your house at Newichwanicke, I, seeing the necessity, will doe the best I can there and elsewhere for you, until I hear from you again. Advice I have sent, but not knowing your intentes, I cannot well enlarge, but I refer you to Mr.
Herbert

Herbert and Mr. Vaughan. For my settlement at Sanders Point, and the further good you intend me, I humbly thank you ; I shall do the best I can to be grateful. I have taken into my hands all the trade goods that remains of John Raymone's and Mr. Vaughan's, and wil, with what convenience I may, put them of. You complain of your returnes ; you take the coorse to have little. A plantation must be furnished with cattle and good hire-hands, and necessaries for them, and not thinke the great lookes of men and many words will be a means to raise a plantation. Those that have bin heare this three year, som of them have nether meat, money nor cloathes — a great disparagement. I shall not need to speak of this ; you shal heare of it by others. For myself, my wife and child and 4 men, we have but $\frac{1}{2}$ a bb. of corne ; beefe and porke I have not had, but on peese this 3 months, nor beare this four monthes, for I have for two and twenty months had but two barrells of beare and two barrells and four booshel of malt ; our number commonly hath bin ten. I nor the servants have nether mony nor clothes. I have bin as spare as I could, but it wil not doe. These 4 men with me is Charles Knel, Thomas Clarke, Steven Kidder and Thomas Crockit. 3 of them is to have for their wages, until the first of March, 4^s per peece, and the other, for the yeare, 6^s, which, in your behalf, I have promised to satisfy in money, or beaver at 10^s per pound. If there were necessarys for them for clothing, there would not bee much for them to receive. You may, perhaps, thinke that fewer men would serve me ; but I have sometimes on C or more Indians, and far from neybers. These that I have I can set to pale in ground for corne and garden. I have diged a wel within the palizado, where is good water ; I have that to close with timber. More men I could have, and more imploy, but I rest thus until I heare from you. The vines that were planted will come to little. They prosper not in the ground they were set. Them that groo natural are veri good, of divers sorts. I have sent you a note of the beaver taken by me at Newichawanicke, and how it hath gon from me. George Vaughan hath a note of all the trade goodes in my custody of the old store, John Raimon's and
George

George Vaughan's acomtes ; but the beaver being disposed of before I could make the dividint, I cannot see but it must be all onpackt and be divided by you. The Governor departed from the plantation the 15th of July,⁸²² in the morning. So for this time I end, committing you to the protection of the Almighty, and ever rest

Your loving servant,

AMBROSE GIBBINS.

— New Hampshire Provincial Papers. Vol. I. pp. 81, 82.
From Province Records. Book I. p. 23.

LXIV. NEALE AND WIGGIN TO MASON.

AUGUST 13, 1633.

WHEREAS Capt. Walter Neale and Capt. Tho. Wiggin booth agents or governors, one for the Pattent of Laconiah and the twenty thousand acres pattent at Rands-vough on the south side of Piscataway river or harbor, and the other for the patentees of Hilton Poynt. They having received orders from the said patentees to make a division of those pattents into four towns, w^h accordingly they did it, and desired us the subscribers advise therein, w^h wee did give them, and were present at the doing thereof, and their doings therein is as followeth, it being a copia of what they wroate hoome to the pattentees :

MUCH HONORED —

In obedents to your comands have furvaied the river from the mouth of the harbor to Squamscutt Falls, and liquife from the harbors mouth by the sea side to the Massachusetts bounds and find the bounds

⁸²² It will be seen that there is a day it was dated. — REV. NATHANIEL BOUTON, D.D., *Editor of New Hampshire Provincial Papers.* slight anachronism in this date. We suppose the letter was not finished the

bounds of your Pattents will not aford more than for two townes in the river of Piscataway, and the remainder will make another good towne, having mutch falt marfh in it, and becaufe you would have foure townes named, as you defired, wee have treated with a gentleman who had purchafed a traēt of land of the Indians at Squamfcott Falles, and your land running up to the faid Falles on one fide of the river, from the Falls about a mile fouthward, faid gentleman having a mind to faid land on your fide to a certain crike and one mile backward from the river, w^h was agreed on, and the crike is called Weelwrights, the gentleman's name being Weelwright, and he was to name faid plantation (when fettled) Exeter, and the other two townes in the river, the one North-ham, and Portfmouth the other, bounded as followeth : viz. Portfmouth runs from the harbors mouth by the fea fide to the entrance of a little river betweene to hed lands w^h wee have given the names of the little Bores-hed and the great Bores-hed, and from the mouth of that little river to go on a ftraight line to the aforefaid creeke, which wee have named Weelright creeke, and from thens down the river to the harbor mouth where it began. And North-ham is the bounds of all the land of Hiltons Poynt fide, and the other land from the little river betweene the two Boores-heds to run by the fea till it meet with the line betweene the Maffathufetts and you, and fo to run from the fea by faid Maffathufetts line into the woods eight miles, and from thence a twart the woods to meete w^h Portfmouth line nere Whelewrights creeke, and that traēt of land to be called Hampton, fo that there is foure townes named as you defired, but Exeter is not w^hin the bounds of your Pattents, but the grete difficulty is the agreement about the dividing line betweene the patent of the twenty thoufand Acres belonging to the company of Laconyah and the pattent of Bloody poynt; the river running fo intrycate, and Bluddy poynt pattens' bounds from thence to Squamfcutt Falls, and to run three miles into the woods from the watters fide. But for your better understanding thereof wee have fent you a draft of it, according to our beft skill of what we know of it at prefent, and have drawn a dividing line
betweene

betwene the two Pattents, so that Portsmouth is parte of booth patents, and Hampton we apprehend will be holly in the twenty thousand acre patten, and North-ham is the bound of Hilton Poynt patten. If in what we have done be to your likings, we shall think our time well spent, and what further comands you will please to lay on us we shall readily obeye to the utmost of our power. We humbly take leave and subscribe ourselves

Your devoted and most
humble servants,

WALTER NEALE,
THOMAS WIGGEN.

NORTH-HAM on Piscataway River,
in New-England, 13 Aug. 1633.

[Addressed] To John Mason, Esq., Governor of Portsmouth, to be communicated to the pattentees of Laconiah and Hiltons poynt, humbly present, in London.

Wee under written being of the Government of the Province of Maine, doe affirm that the above letter written and send by Walter Nele and Thomas Wiggin, and directed to John Mason, Esq., Governor of Portsmouth, to be communicated to the pattentes of Laconiah and Hiltons poynt is a true copia compared with the originall.

And further wee doe affirme that there was ffour grete guns brought to Piscatequa which were given by a March' of London for the defense of the river, and at the same time the Earle of Warwicke, Sir Ferdinando Gorges, Capt. John Mason, and the rest of the patentees sent an order to Capt. Walter Neale and Capt. Thomas Wiggin, their agents and governors at Piscattaway to make choise of the most convenient place in the said river to make a sfortefecatyon for the defense thereof, and to mount those ffour guns given to the place, which accordingly was done by Capt. Walter Nele and Capt. Thomas Wiggins, and the pattentees servants, and a draft was sent of the place that they had made choice of, to the said Earle and company, and the draft did containe all the necks of land in the north este side of the Grete Island that makes the great harbor, and they gave it the
name

name of ffort poynt and alloted it fo far bake in to the ifland about a bowshoot to a grete high rock whereon was intended in time to sett the principall forte. That the above is all truth wee affirme, and by the defire of Capt. Walter Nele and Capt. Thomas Wiggin, wee have ordered this wrighting to ly in our ffles of records of thefe doings therein. In witnefs whereof wee have here unto sett our hands and feles at Gorgiana, in Province of Maine, in New-England, 20th Auguft 1633.

RICH. VINES.

SEAL.

HENRY JOCELYN.

SEAL.

[Endorfed] Copia bounds of 4 townes on the fouth fide of Pifcataqua river, and the fort poynt to ly on our Files of Records, Auguft, 1633.

— New Hampshire Provincial Papers. Vol. I. pp. 83-86.
From Province Records. Book I. p. 24.²²²

²²² The genuinenefs of the famous Wheelwright Deed and of this letter, both of which were firft printed in Belknap's *New Hampshire*, ed. 1784, Appendix I. and VI., have been doubted by the Hon. James Savage and other antiquaries. See Savage's edition of Winthrop's *New England*, Vol. I. Appendix H, and his *Genealogical Dictionary*, Vol. IV. p. 540; and John Farmer's edition of Belknap's *History of New Hampshire*, foot-notes on pp. 7 and 13-14. The other fide has been ably prefented by the Hon. Charles H. Bell, LL.D. See *John Wheelwright*, Prince Society, 1876, pp. 79-141. A copy of the letter is preferved in the archives of New Hampshire, and is transferred to thefe pages. Another copy of this letter of Neale and Wiggin, without the preamble and the attel-

tation of Vines and Jocelyn, is found among thefe papers. It accompanies a letter purporting to be from George Vaughan, Auguft 20, 1634, in which it is ftated that the writer found it among his papers. It is endorfed: "Copy of a Letter to the Pattentees left with me Auguft 163-." The date, inftead of being 13 Auguft, 1633, is 13 Auguft, 1632; but the editor of the *New Hampshire Provincial Papers*, the late Rev. Nathaniel Bouton, D.D., ftates that the 2 looks as though it might have been altered from 3, and in the date of the endorfelement, 163-, the laft figure is mutilated. The letter of Vaughan and the accompanying copy of Neale and Wiggin's letter are printed in the *New Hampshire Provincial Papers*, Vol. I. pp. 95-97, from *Province Records*, Book I. p. 31.

LXV. CONTRACT WITH WALL AND OTHERS.

MARCH 13, 1633-4.

~~Articles~~ of agreement Jndented had made Concluded and fully agreed vpon the ffoureteenth Daie of Marche Anno Dñi 1633. And in the Nynthe yeare of the Reigne of our Sou'aigne lord Charles by the grace of god Kinge of England Scotland ffraunce and Jreland Defendo' of the faithe &c Betweene James Wall William Chadbourne and John Goddard Carpenters of thone ptie And John Mason of london Esq of thother ptie, as followeth, vizt. /

~~Whereas~~ the said John Mason being nowe resident in England and being possessed and interessed of and in Certen lands in Newe England neere vnto a plantacon there wherein he hath estate and interest Called Newichewanneck lying vpon and neere to the Ryver there Called Pascatawaye being the devisiion assigned vnto the said John Mason for his pte and porcon as it lyeth on the Northside of the said Ryver, hath an Intention by gods pmissiion by the first and next Convenyent shipping to send to his said lands and there to place and settell servauntts and others w^{ch} shalbe appoynted by him, whereby to further and increafe his plantacon there already begynn & there to make & build howses and Mills & such other frames as the said John Mason his agents or assignes shall from tyme to tyme geve order for and appoynt ~~To~~ and for w^{ch} intent and purpose the said John Mason hath agreed with the said James Wall William Chadbourne & John Goddard for them Three to goe over vnto the said lands of the said John Mason with in the said plantacon in and by such shipp as the said John Mason shall withall Convenyencie prepare and have in readines to send thither where the said James Wall William Chadbourne and John Goddard have all of them agreed withe the said John Mason to remayne and Contynue in and vpon the said lands

lands of the said John Mafons for and during the full tyme and terme of fyve yeares to be reckoned and accompted from the tyme of there arryvall there and Coming thither fullie to be Compleat and ended & there to fell and Cutt tymber and make and build such howfes mills and other things and to doe and pforme such other worke and buisyness for and in the behalf of the said John Mafon his heyres associats and assignes as shalbe from tyme to tyme appoynted by him or them or his or their agents and assignes to be made and done for his & their vse and benefitt at and for such allowances and vnder such Covenants Condiçions and agreem^t as are hereafter specified according to the true meaninge of theis p^{ts}, And whereas the said John Mafon for the better furnishing of his said lands in the said plantacon with victuell and other provisions and necessaries fittinge for the same doth purpose and intend god willing to provide and send over to his said lands Certen Cowes goates swyne and other things as he shall thinck fittinge and necessarie in that behalfe; It is nowe therevpon Covenanted graunted Concluded and agreed by and betweene the said pties to theis p^{ts} in mannor and forme following And first the said John Mafon doth for himselfe his heyres executors and assignes Covenant promise graunt and agree by theis p^{ts} That the said James Wall William Chadbourne and John Goddard and eu'y of them shall have their passage freely and without paying or allowinge any thinge for the same from hence by shipping vnto the said plantacon aswell for themselves as for all such necessarie ymplements and things as they shall Carry with them fitt for their vse in the said plantacon wch is accompted and esteemed at fyve pounds starlinge p head; And that the said John Mafon his agents associats and assignes shall trulie deliuer or cause to be deliuered vnto the said James Wall William Chadbourne and John Goddard at the lands of the said John Mafon in the said plantacon as they shall have vse of them the some or value of ffortie pounds starlinge in victuells if such a quantitie of victuell shalbe found necessarie for them & shalbe desired by them at such and the same rats & prics (*bona fide*) according as the same shall Cost and stand the said John Mafon in with the freight and other Charges of and Concerning the same after the arryvall

vall and Comeinge of the said James Wall William Chadbourne and John Goddard at and vpon the said lands in the plantacon aforefaid ; And eu'y one of them the said James Wall William Chadbourne and John Goddard doe for themselves and eu'y of them and for the heyres executo^r admiſtrato^r and assignes of them and eu'y of them Covenit promise graunt and agree To and with the said John Maſon his heyres executo^r affociats and assignes by theis p^{nts} well and trulie to make geve and allowe or Cause to be made geven and allowed vnto him the said John Maſon his heyres affociats and assignes for the said ffortie pounds worth of victuells w^{ch} ſhalbe deliue'd as aforefaid full payment and ſatiſfaction out of and by the worke of the said James Wall William Chadbourne and John Goddard ariſing and Coming by ſawing of Deales or otherwiſe accordinge to the rats and prics as for the tyme being the ſame will geve and yeild there in the Countrie in ſuch ſort and manner as that the said John Maſon his heyres affociats or assignes ſhalbe no looſer thereby ; Item it is agreed by and betweene the said pties to theis p^{nts} And the said James Wall William Chadbourne & John Goddard doe for themselves and eu'y of them theire and eu'y of theire heyres executo^r and admiſtrato^r Covenit promise and graunt To and with the said John Maſon his heyres executo^r, affociats and assignes by theis p^{nts} That they the said James Wall William Chadbourne and John Goddard and eu'y of them ſhall in and to the said firſt and next Covenyent Shipping w^{ch} the said John Maſon ſhall ſend vnto & for his ſaid plantacon goe ou^r from hence thither, and ſhall there remayne and Contynewe in and vpon his ſaid lands within the ſaid plantacon for and duringe the ſaid terme and ſpace of ffyve yeares, and ſhall there make and build ſuch howſes Twoe mills and other frames and things and doe and pforme ſuch worke and buſineſſes for and in the behalfe of the said John Maſon his heyres affociats and assignes as ſhalbe from tyme to tyme appoynted by him or them or his or theire agents and assignes to be made and done for his and theire uſe and benefitt according to the true meaninge of theis p^{nts} Thone of w^{ch} mills to be made ſhalbe a ſawe Mill w^{ch} ſhalbe made and ſette vppon good ſufficient and workemanlike ſort and manner To

w^{ch} the said John Mafon or his assignes shall at his or their owne Costs and Charges provide and allowe all Iron that shalbe fittinge thereto, and thother of the said Mills shalbe a water Corne Mill³²⁴ w^{ch} shalbe likewise made and builded in good sufficient and workman-like sort and Manner; And that they the said James Wall William Chadbourne and John Goddard shall at their owne prop Coste and Charges after the said twoe mills shalbe so made and builded, not onlie well & sufficiently repaire mainteyne keepe and amend the same Twoe mills and either of them in and by all things and in and by all manner of reparacōns & amendem^t whatsoe^r from tyme to tyme and at all tymes when and as often as neede shalbe or require during the said terme of ffyve yeares But also shall vse and doe all their and eu^{ry} of their best meanes endeavo^r and diligence that they and eu^{ry} of them possiblie Cann or maie for to sett and keepe the said twoe Mills and either of them to be vsed and ymployed in and with worke to and for the most benefitt Comoditie and advantage of the said John Mafon his heyres associats & assignes And that they the said James Wall William Chadbourne and John Goddard or any of them shall not at any tyme after their Cominge into the planta^{ti}on aforesaid leave depte from or geve ou^r the worke and buisynesses of the said John Mafon wherein they shalbe ymployed and sett to doe by the said John Mafon his agents or assignes by or according to the true meaninge of theis p^{ro}mts vnles it shalbe by and with the Consent and agreem^t of him the said John Mafon his agents or assignes in that behalfe first had and obteyned: In Considera^{ti}on whereof the said John Mafon doth for himselfe his heyres executo^r associats and assignes Covenant promise graunt & agree To and with the said James Wall William Chadbourne and John Goddard and eu^{ry} of them and the heyres

³²⁴ James Wall, William Chadbourne, and John Goddard came to New England with Henry Josselyn in the *Pied Cow*, which cast anchor at Newichwannock July 13, 1634. They set up there the saw-mill and the corn-mill named above in their deposition. They

had charge of these mills "for the space of three or four years," perhaps till the arrival of Francis Norton in 1638, as the agent of Mrs. Mafon. *Vide ante*, p. 78, and the "Deposition of James Wall," *post*, May 21, 1652

heyres executo^r and admītrato^r of them and eu'y of them by theis pñts That it shal and may be lawful vnto and for them the said James Wall William Chadbourne and John Goddard theire executo^r & assignes to have take and receyve betweene and amongst them equallie pte & pte alike thone moytie or halfe pte not onlie of all such some & somes of money benefitt and advantage w^{ch} shall from tyme to tyme during the said terme of ffyve yeares Come arise growe or be made gotten or gayned of or by the said Twoe mills and either of them But also Three ffowrth pts in ffowre pts to be devided of all such howses and fraymes that shalbe made and wrought and likewise Three ffowrth pts in ffowre pts to be devided of all such tymber that shalbe felled in and vpon the said lands of the said John Mason within the said plantacōn and prepared & vsed by them or any of them to and for making & buildinge of the said howses and ffraymes, or Three fourth pts of the money or Comoditie in liewe of money that the said howses fraymes or tymber shalbe sould for, whereof a iust accompt shalbe from tyme to tyme kept and made to the said John Mason his agents or assignes And that without any manner of lett trouble denyall or Contradiçion of or by the said John Mason his heyres associats or assignes or any of them And it is further Concluded and agreed by and betweene all the said pties to theis pñts And the said John Mason doth for himselfe his heyres associats and assignes Covenant promise & graunt by theis pñts That with in Thirtie dayes next after that the said James Wall William Chadbourne and John Goddard shall aryve and Come to the lands of the said John Masons within the plantacōn aforesaid He the said John Mason his heyres associats or assignes shall allowe and deliur vnto them the said James Wall William Chadbourne and John Goddard, Three Cowes, ffowre goats and ffowre Sowes to and for theire vse at and for the yearely rent and benefitt to be paid & allowed for the same as hereafter is expresse; And eu'y one of them the said James Wall William Chadbourne and John Goddard doth for himselfe and for his seu'all heyres executo^r and admītrato^r Covenant promise graunt and agree To and with the said John Mason his heyres executo^r associats

affociats and assignes by theis pñts well and trulie to paie geve and deliur' yearely and eu'y yeare for and duringe the said terme of ffyve yeares for the vse and benefitt of the said Three Cowes ffoure goats and ffoure Soves w^{ch} shalbe deliur'ed vnto them the said James Wall William Chadbourne and John Goddard as aforefaid not onlie the some of Sixe pounds Thirteene shillings and ffoure pence of currant money of England But also there moytie or halfe pte of the encrease of all Calves kidds and piggs w^{ch} shall yearely during the terme aforefaid Come arise & breed of or by eu'y of the same Cowes goats and Soves aforefaid ; And that the said James Wall William Chadbourne and John Goddard theire heyres executoⁿ admistratoⁿ or assignes shall & will at or in thend of the said terme of ffyve yeares make good and deliur' vnto the said John Mafon his heyres affociats & assignes in & vpon his said lands within the plantacōn aforefaid Three Cowes ffoure goats & ffowre Soves of such & the like goodnes & value as those Cowes goates & Soves w^{ch} shalbe deliur'ed vnto the said pties aforenamed by or according to the true meaning of theis pñts And moreou^r it is Concluded & agreed by & betweene all the said pties to theis pñts And the said John Mafon doth for himfelse his heyres affociats & assignes Covenñt promise and graunt To & with eu'y of them the said James Wall William Chadbourne & John Goddard theire & eu'y of theire seu'all & respectiue heyres executoⁿ & assignes by theis pñts That within ffortie dayes after theire arryvall at the plantaōn aforefaid ech of them shall have allotted to him Tenne acres of land for theire pñte vse for plantinge of Corne & grayfinge of Cattell & building of howses therevpon for eu'y of w^{ch} Tenne acres they shall pay yearely at the ffeast of Sainct Michael Tharchungell one bushell of Corne. And that at thend of the said terme of ffyve yeares there shalbe allotted & allowed fortie acres of land more within the plantacōn aforefaid vnto and for eu'y one of them the said James Wall William Chadbourne & John Goddard to and for eu'y of theire seu'all & respectiue vse w^{ch} shalbe graunted & letten by Jndenture of Lease to be made by & from the said John Mafon his heyres affociats or assignes in due forme of lawe but eu'y one of the said Three seu'all pties respectiuey for seu'all estats and termes of Three lyves

lyves at for and vnder the yearely rent of Three busshells of Corne for eu'y seu'all quantitie & porcõn of fourtie acres of land to be paid & deliued yearely from and after such as eu'y of the said seu'all quantitie or porcon of ffourtie acres of land shalbe respectiuely allotted and allowed vnto eu'y one of the said Three pties aforesaid respectiuely So as eu'y one of them doe and shall by their seu'all & respectiue leases to be made Covenũt & bind himsele his executo^r & assignes to make build & sett vpp at his & their seu'all & respectiue prop Coſts and Charges one Conuenient howse for habitacõn vpon eu'y of the said three seu'all quantities & porcõn of land to be allotted as aforesaid respectiuely ou^r & aboue such howses as they shall build in the meane tyme vpon the Tenne acres of land graunted seu'allie to ech as aforesaid & for keeping and maineteyning of ech seu'all howse so to be made & builded as aforesaid in good and sufficient repacõns during the seu'all Contynewance of ech seu'all Lease respectiuely. And to & for the true pformance of all and eu'y the seu'all Covenũts graunts & agreem^t aforesaid on ech and eu'y of the seu'all & respectiue pts & behalfe of them the said James Wall William Chadbourne & John Goddard to be pformed & kept as aforesaid accordinge to the true meaning of these pñts ech & eu'y one of them the said Three pties doe seu'ally and respectiuely bynd himsele & his seu'all & respectiue heyres executo^r & admĩstrato^r vnto the said John Mason his heyres executo^r associats and assignes in the some of One Hundred Pounds of lawfull money of England to be paid and recorded by theis pñts In Witnes Whereof the said pties to theis pñte Articles of agreement Jndented Enterchaungeably haue sett their hands and seales. Dated the Daie and Yeares ffirst aboue written.

Sealed and Deliu'ed in the pñce of vs

WILLM FRITHE *scr.*

ROGER BEALE HENRY JOCELYN

And: ALPHONSUS FFRITHE

[Endorſed] James Wall W^m Chadbourne and John Goddard their Couenñts.

— Massachusetts Archives. Vol. III. p. 437.

LXVI. GORGES AND MASON TO WARNERTON AND GIBBONS.

MAY 5, 1634.

MR. WANNERTON AND MR. GIBBINS :

These are to let you know that wee, wth the consent of the rest of our partners, have made a devision of all our land lying on the north-east side of the harbor and river of Pascattaway, of the quantities of wth lands and bounds agreed upon for every man's part, we send you a coppie of the draft, desiring your furtherance, with the advise of Capt. Norton and Mr. Godfrey, to set out the lynes of division betwixt our lands and the lands of our partners next adioning, because we have not onelie each of us shipped people present to plant upon our owne lands, at our owne charges, but have given direction to invite and authoritie to receive such others as may be had to be tenants, to plant and live there, for the more speedie peopling of the countrie. And whereas there is belonging unto me, Sir Ferdinando Gorges, and unto Capt. Mason, for himself, and for Mr. John Cotton and his deceased brother, Mr. William Cotton, both whose interests Capt. Mason hath bought, the one halfe of all matters mentioned in the inventorie of householde stuffe and implements left in trust wth you by Capt. Neale, whereunto you have subscribed yo^r names,⁸⁸⁵ and whereof a coppie is herewth sent, we desire you to cause an equall division,

⁸⁸⁵ The Inventory, July, 1635, *post*, is signed by Ambrose Gibbons and Thomas Warnerton, and professes to be a schedule of goods received by them from Capt. Walter Neale. This may be the inventory referred to in this letter and in the next. If so, the last figure, 5, in the date July, 1635, is a mistake for the figure 3, since Neale left the Pascataqua, July, 1633, and the goods must have been received from him in that month.

Under July, 1633, *ante*, will be found another inventory of goods at that date at Pascataqua and Newichwannock. In this list the various articles are entered promiscuously, apparently as found in various places. In the inventory signed by Gibbons and Warnerton, articles of the same kind are added together and arranged under several headings. I cannot, however, make the two inventories agree.

division, as neere as possible may, to be made of all the said matters mentioned in the inventory in kinde, or if some of them cannot be so divided, then the one halfe to be made equall to the other in value of all the said matters, except the cattell and suites of apparell and such other things as belong peculiarly to Capt. Mason, and to deliver the said one halfe of all the said matters so to be divided unto Mr. Henry Jocelyn, for the use of our Plantations; taking an inventory thereof under his hand, of all you shall so deliver him, and making certificate to us thereof. And for your so doing, this shall be your sufficient warrant and discharge. And so we rest,

Y^r verie lovinge friends,

FERDIN: GORGE,
JOHN MASON.

PORTSMOUTH, Maye 5th, 1634.

[Endorsed] Sir Fer: Gorge and
Mr. Mason, to Mr. Wannerton
and Mr. Gibbins, 5th May, 1634,
No. 6.

— New Hampshire Provincial Papers. Vol. I. pp. 88, 89.
From Province Records. Book I. p. 27.

LXVII. MASON TO GIBBONS.

MAY 5, 1634.

MR. GIBBINS :

These people and provisions, which I have now sent wth Mr. Jocelyne, are to sett upp two mills upon my owne division of lands lately agreed upon betwixt our adventurers; but I think not any of them will adventure this yeare to the plantation, besides Sir Ferdinando Gorges and myselfe; for which I am sorrye, in that so good a business (albeit hitherto it hath bene unprofitable), should be subject to fall to the ground; and therefore I have strayned myself to do this at this present, and could have wished that the rest would have ioyned to have

have sent you some provisions for trade and support of the place ; but that failing, I have directed to you, as a token from myselfe, one hogthead of mault to make you some beare. The servants with you, and such others as remain upon the companies charge, are to be discharged and payed their wages out of the stocke of beaver in y^r hands, at the rate of 12s (?) the pound, whereof I thinke the company will write you more at large : And we have agreed to divide all our moveables mentioned in the Inventory that Capt. Neale brought home,³⁸⁶ w^{ch} were left in trust wth you and Mr. Wannerton. I bought Mr. Cotton's and his brother's parte of all their adventures, so that the halfe of all belongs to Sir Ferdinando Gorges and myselfe ; and of that halfe, three quarters will be dewe to me, and one quarter to Sir Ferdinando. These things being equally divided, they are to be delivered to Mr. Joceline, my three quarters of the halfe, and the other fourth to whom Sir Ferdinando shall appointe. And you must afford my people some house roome in Newitchewanocke house, and the cowes and goates, w^{ch} are all mine, and 14 swine, with their increase, some grounds to be uppon, till we have some place provided upon my new divided lands, or that you receive my further order. A copie of the division of the lands is herewth sent unto you.

The stockings and mault, and suites of cloathes, and fuggar, and rayfinges and wine that was delivered by Mr. Bright and Mr. Lewis, I have not received any satisfaction for ; wherein I must crave y^r helpe and such satisfaction as may be sent by this shipp. The christall stoanes you sent are of little or no valew, unless they were so great to make drinking cupps or some other workes, as pillars for faire lookinge glassees or for garnishing rich cabinetts. Good iron or lead oare I should like better of, if it could be found.³⁸⁷ I have disbursed a great deal of money in y^e plantacon, and never received one penny ; but hope if there were once a discoverie of the lakes, that I should, in some reasonable time, be reimbursed againe. I pray you helpe the
Mr.

³⁸⁶ See foot-note on page 329.

³⁸⁷ In Belknap, the two foregoing

sentences are in *italics*. Not so in the original.—REV. DR. BOUTON.

Mr. what you can to some of the best iron stoane for ballast, and in case he want other laddinge, to fill the shipp upp wth stocks of cypres wood and cædar. Let me here from you of all matters necessary, and wherein I maye doe you any pleasure, I shall be reddie. And so wth my heartie commendacons, I reft

Yo^r verie loving friend,

JOHN MASON.

PORTSMOUTH [ENG.], May 5, 1634.

[Endorsed] Mr. Mason to Gibbins.

No. 7. May, 1634.

Received 10th of July, 1634.

— New Hampshire Provincial Papers. Vol. I. pp. 89, 91.
From Province Records. Book I. p. 28.

LXVIII. GOODS IN CUSTODY OF HENRY JOSSELYN.

JULY 20, 1634.

A REMEMBRANCE of goods and amonition left with Mr. Joslyn in the house of Newitchawanack, w^h goods belonge unto the worshopful company of adventrers for Laconia.

Imp. 2 flock-beds and 2 bouldsters.

It. 3 Irish blanketts and 2 Kilkany ruges,

It. on pare of old sheets,

It. on pantado coverlid,

It. one great iron kittle. I received not [illegible].

It. one iron poot,

It. one iron skillit,

It. one pare of pott-rackes,

It. one pare of poot-hookes,

It. one spit,

It. one great bras kettle and one ould kettle,

It. two pewter platters and one bason,

It.

It. 7 al—? spoones,
 It. 2 hand-saws 6 foote longe,
 It. 3 iron wedges,
 It. one servis booke,
 It. one murtherer and 2 chambers,
 It. 7 musketts and 6 pare of bandelears,
 It. 2 kerbines and one pare of bandelears,
 It. 6 fwords and 6 belts,
 It. one pare of scales,
 It. one grind-stone and iron neseffary,
 It. one steele mill.

Goods that your workmen had by your request, promising me
 fatisfaction for them.

It. one ades,
 It. one whip-saw,
 It. one flock-bed and boulder,
 It. one kilkeny ruge and one blankett,
 It. one grind-stone with iron handle and axltree.

These goodes delivered by me, AMBROSE GEBBINS.

These goods here under writ, borrowed by Mr. Henry Joselyn for
 Capt. Mafon's use, of Ambrose Gibbens, were spent and worne out in
 his service :

Imp. Irish blanketts,
 one kilkeny rugg,
 one pare of old sheetes,
 one pentadoe coverlett,
 one ould brass kettle,
 seaven spoones.

For these goods I acknowledge to be accomptable unto Ambrose
 Gibbins whensoever he shall deliver up his charg of goods now in his
 hands belonging unto y^e company of Laconia. Witness my hand
 this 27th day of August, 1634 ?³⁸⁸

Pr. Me, HENRY JOSELYN.

These

³⁸⁸ This last figure is obscure. — REV. DR. BOUTON.

These are to certifie whom it shall concerne, y^e I, Henry Joselyn, doe by these charge myself to be accomptable (as Capt. Mason's agent in New England, in the year of 1634?) unto any of the adventurers y^e were affotiated in y^e company of Laconia or there agents for al such goods as I have received fr^m Ambrose Gibbins and here expresse in this invoice, for Capt. Mason's accompt. Given under my hand this 20th July, 1634.

Pr. me, HENRY JOSELYN.

Witness, HENRIE SHERBURNE.

— New Hampshire Provincial Papers. Vol. I. pp. 93-95.
From Province Records. Book I. pp. 30.

LXIX. GIBBONS TO MASON.

AUGUST 6, 1634.

SIR :

Yo^r Wor^{sh}p have donne well in setting forward your Plantacon, and for your milles they will prove beneficial unto you, by God's assistance. I would you had taken this coorse sooner, for the merchants I shall be very cautylous how I deale wth any of them while I live. But God's will be done, I and the world doth judge that I could not in these my dayes have spent my time for noe thinge, for there sending trade and support I desire it not. I have supported but now sunke under my burthen ; the more I thinke on this, the more is my grieve. I have rec^d the hog^d of mault that you sent me giving you humble thanks for the same. The servants that were wth me are discharged and payd there wages for the year past, and I have delivered unto Mr. Warnerton, 43 lb. of beaver to pay those that were wth him for the year past, for the paying of the servants there old wages, or the dividing of the goods, I expect a general letter, if not then to heare further from your wor^{sh}, yo^r carpenters are with me and I will further them the best I can. Capt. Neale appoynted me two
of

of your goates to keepe at his departinge. I praife God they are 4. Of the goods that Mr. Bright left I only rec^d of Capt. Neale 4 bush'ls of mault and at sevrall times 8 gallons of sack, and from Mr. Warnerton 7 bush'ls and 1 peck of mault, 5 lb. and $\frac{1}{2}$ of fugar, and 3 pr. of children stockings, and 97 lb. of beefe w^{ch} was of an old cow that Mr. Warnerton killed, being doubtful that shee would not live all the winter, for these I will pay Mr. Joselin for you. I prceive you have a great mynd for the lakes and I as great a will to assist you, if I had 2 horses and 3 men wth me, I would by God's helpe soone resolve you of the cituation of it, but not to live there myself.²³⁹ The Pide-cow arrived the 8th of Julie; the 13th day she cast ankor some halfe a mile from the falle; the 18th day the shippe unladen; the 19th fell downe the river; the 22d day the carpenters began about the mill; the 5th of August the iron stone taken in the shipp; there is of 3 foartes, on sort that the myne doth cast forth as the tree doth gum, w^{ch} is sent in a rundit, on of the other foartes we take to be very rich. There is great stoare of it, for the other I know not; but may it please you to take notice of the waight and measure of every sort before it goith into the furnace, and w^t the stone of such waight and measure will yield in iron. This that wee take to be the best stone is 1 mile to the southward of the great house, it is some 200 rods in length, 6 foot wide, the depth we know not; for want of tooles for that purpose we tooke only the surface of the mine. I have paled in a peice of ground and planted it. If it please God to send us a drie time, I hope there will be 8 or 10 quarters of corne, you have at the greate house 9 cowes, 1 bull, 4 calves of the last year, and 9 of this yeare; the prove very well, farre better than ever was expected, they are as good as your ordinary cattle in England, and they goates prove some of them very well both for milk and breed. If you did send a shippe for the Westerne Islands of 6 scoare tunne or there abouts for cowes and goates, it would be profitable for you. A stock of iron worke to put away wth your boardes from the mill will be good. Nayles, spikes, lockes, hinges, iron worke for
boates

²³⁹ In Belknap, in *italics*. — REV. DR. BOUTON.

boates and pinaces, twine, canvis, needles and cordage, pitch and tarre, graples, ankors and necessaries for that purpose.

Sir, I have written unto Mr. John Round to repair unto your worth, he is a silver smith by his trade, but hath spent much time and meanes about iron. May it please you to send for him ; he dwelleth in Mogall street. If you are acquainted with any finer or mettlemans enquire of him and as you see cause send for him, he is well seene in all myneralls. If you deale not wth him, he will give you a good light for your proceedings. The 6th of August the shippe ready to set sayle for Saco to load cloave boards and pipe staves ; a good husband with his wife to tend the cattle, and to make butter and cheefe will be profitable ; for maids they are soone gonne in this countrie. For the rest I hope Mr. Jocelyn for your owne pticulers will satisfie you, for I have not power to examen it. This wth my humble service to your worth I rest

Yo^r ever loving servant, AMBROSE GIBBINS.

NEWITCHAWANOCK, the
6th of August, 1634.

[Endorsed] The coppie of a
letter to Capt. Mason, the 6th
of August, 1634, from Mr. Gibbins. No. 8.

— New Hampshire Provincial Papers. Vol. I. pp. 91-93.
From Province Records. Book I. p. 29.

LXX. REPORT ON THE REPAIR OF SOUTHSEA CASTLE.

1634.

THE 3^d of June. 1627. There was delivered vnto the
Lorde, signed by Barnard Johnson the Engineere an Esti-
mate of the Repayre of Southsea Castle ammounting to in toto } . 610^{li} 4^s 6^d

The Copie whereof is wth the Clarke of the Councill and an
Order for Repayre of the same.

The

The 5^t of May. 1634. There was another Estimate made by Cap^t Mafon, whoe called fundry workemen to the Castile to confider of the Repayre of the same, and he found it to aryse at the lowest, & thriftiest account to

. 699. 4. 6.

Whereof a particular is ready to be produced ;

Since w^{ch} latter Survey of Cap^t Mafons, (w^{ch} onely had respect to the Repayre of the place wthout much addicion to the fortificacōⁿ ²⁴⁰) Cap^t Paparill the Engineere hath made another Estimate of worke, conceived to be very fitting to be done, if it shal foe please theyr Lo^{ps}, & the rather in regard of securing the Kings Navye, that lyeth wthin the harborough at Portfmouth, ammounting, as appeares by the particulars herewth tendered, to

. 1189. 3. 4.

[Endorfed] Capt Mafon.

— State Papers, Domestic. Charles I. Vol. CCLXXXI. N^o 67.

LXXI. MASON'S PETITION CONCERNING THE SOUTHSEA CASTLE.

JANUARY 26, 1634-5.

To the right hono^{ble} Richard Earle of Portland Lo^d highe Trea^r of England & to the Right hono^{ble} the residue of the Lo^d Comission^r for the Admiraltie.

The humble representa^{cion} of the estate of Southsea Castle

By Cap^t John Mafon Cap^{tn} of the same

Sheweth That y^e saied Castle comāndeth y^e Channell & mouth of y^e haven of Portfmouth, in reguard all shipping must first passe by it & very nere vnto y^e Ordinance thereof ; w^{ch} caused S^r John Ogle &

y^e

²⁴⁰ *Sic*; quære, read "fortificacion." — COPYIST.

y^e rest of y^e Comission^r for surveigh of ffortes in Anno 1624 to certifie y^e board That this Castle was of great vse for that it was a guard to the Iland & a succour to the Towne of Portsmouth & is conceiued to be the most exquisite peece of fortification in this kingdome. That by accident of fire in Anno 1626 y^e whole Tymber buildinges of y^e bodie of the saied Castle were burnt to the ground So that there is not any lodgeing at all for the Cap^m nor any place for the souldiers wherein they maye lye drye. That never since Anno 1628 any supply of powder or other Munition hath bine deliuered for defence of this Castle. And y^e remaines of Powder shortly after y^e death of y^e late Cap^m Walter James in December last were found to be about 4 barrells onely. That y^e Ordinance are only 8 peeces ; viz^t 4 Demy Culveringes & 3 Sakers & one minion al ould Iron peeces, & one very smalle faulken of brasse. The number of Gunners & souldiers are but Eleaven. And y^e whole pay of y^e Castle is but 139^{li} 18^s 4^d p^r ann payable out of the Excheq^r Whereas Landguard fort hath 83 men 35 peeces of brasse & Iron ordinance & 1486^{li} 03^s 4^d pay p^r Ann.

Sandowne Castle	} in y ^e Downes hath	{ 19 men 17 peeces & 200 ^{li} 15 ^s 0 ^d pay p ^r Ann 20 men 16 peeces & 219 ^{li} 00 ^s 0 ^d pay p ^r Ann. 18 men & 200 ^{li} 15 ^s 0 ^d pay p ^r Ann 18 men & 200 ^{li} 15 ^s 0 ^d pay p ^r Ann. 22 men 24 peeces & 234 ^{li} 04. 2. pay p ^r Ann	} All paied in the Countrie.
Deale Castle			
Walmore Castle			
Sangate Castle by fouldstone			
Hurst Castle			

Besides many other ffortes of much lesse consequence all w^{ch} exceede this Castle verie farr in Ordinance men and paye.

The Premises considered y^e Petition^r humbly prayeth yo^r Lo^{pp^s} to giue order for repaier of the burned buildinges & other decayed workes of the saied Castle And also for a supply of powder & other Munition requisite, w^{ch} such an increase of Ordinance & Gunners as
to

to yo^r Lo^{ps} wifdomes shall seeme fittinge for thefe times & for that
place w^{ch} is now trusted wth a good part of his Ma^{ties} Navie

And the Pet^r shall euer pray &c.

[Endorfed] South Sea Cattle.

R. 26^o Jan. 1634.

Capt. Jo. Maſon, Capt.

of Southſea Cattle.

— State Papers, Domeſtic. Charles I. Vol. CCLXXXII. N^o 87.

LXXII. REPORT OF SOLDIERS SENT TO THE ISLE OF RHÉ.

MAY 25, 1635.

Common Souldiers at Res

	The Number Imbarqued June y ^e 27 th 1627	}	5934
	at Portſmouth		
	The Supply added out of Ireland: in Sep- temb. following	}	<u>1899</u> 7833
	Hereof Slayne & Drowned at y ^e Deſcent		
	July y ^e 12 th 1627 about	}	409
	More ſlayne at y ^e Affault of y ^e Cittadell and		
4	at y ^e Retrayt in Rez about	}	3895
Octob: 29 1627			
2	More ſlayne in Recouering our Trenches	}	100
	from y ^e Enemye about		
3	More Dyed vpon y ^e bloody flux by eating	}	120
	Grapes about		
5	Returned back into England & landed at	}	2989
	Plymmouth & Portſmouth		
	The Difference		<u>7513</u>
	is — 320 which in 15 Weekes ſervice in y ^e face of the Enemye might well be loſt.		

By

By which Accompt it doth Appaere That of Common Souldiers their was only embarked to the Ile of Rez 7833 & their was slayne in that service viz at the descent and in the assault & in the Retrait & also in the tyme of the seidge of the Cittadell & at other tymes wthin the Compas of that service by Casualtie of warr the number of 4844 Common souldiers beydes officers which ar not mentioned in this Acco: & their was landed at Plymouth & Portsmouth vppon the Retourne of that voyadge about the number of 2989 besy[des] officers as afore^d all which as exactlye as I could I have Caused to be Collected from the books of my Accompts of Mufters & payments for & Concerninge the 1st voyadge to Rez.

By me JHON MASON.

WESTMINSTER the
25th of Maye
1635.

[Endorfations.]

(A) Copie of the Accompt of the numbers of Common Souldiers beydes officers sent to the Ile of Rez 1627, and of those that weare lost in that service Also of the nomber Retourned back ; as it was delivered the 25th Maye to Sr James Bagg at his Request to serve him in his answer to the alligations of the Lo: Mohun against him before the Lordes in the Court of Starr Chamber on Wednesdays the 3^d of June 1635.

(B) M^r Bradly for Souldiers at Reas.

— State Papers, Domestic. Charles I. Vol. CCLXXXIX. N^o 39.

LXXIII. MASON TO SMITH.

JUNE 22, 1635.

MR. ROBERT SMITH

Being sodainly to take Journey to Portsmouth by order of the Lords, infomuch that I cannot attend M^r Thomas Wyen about the Commission I am to have for the Vice Admiraltie of New England, my request is that you would take a little paynes to gett a book drawne for the office of a Vice Admirall & send it to me to Portsmouth
that

that I may see it before it be ingroafed. It pleased his Ma^{ty} to fignifie his pleasure to the Lord Comiffioners for the plantations that I should be Vice Admirall of New England, which lyeth betwixt 40 and 48 degrees of northerlie latitude in America And by reasons of the great distance & remotenes from hence, being about 1000 leagues the authoritie given ought to be the more lardge, whereof I pray yow take some care; M^r Dickenfon received the Lords pleasure & M^r Nicholis likewise had fome direction about this commiffion for me, to whom if you repaire you may have for warrant to Mr. Wyen for drawing upp the Comiffion, and for any charges concerning the busines, if you please to repaire to my Cozen Noell at my brother Wolastans house in ffofter Lane he will deliver yow mony, & fo wth my best respects take leave & rest

Yo^r verye lo: ffriend JHON MASON.

22th June 1635.

— State Papers, Colonial. Vol. VIII. N^o 68.

LXXIV. INVENTORY OF GOODS AT PASCATAQUA AND NEWICHWANNOCK.

JULY, 1635.

An Enuentry of the Goods and Implements belonging to the Plantations at Pascataway and Newichewanock in New England, July, 1635.

AT PASCATAWAY.

Arms and Ammunition.

3 Sakers, 3 Minions, 2 ffaulcons, 2 Rabenets, 4 Murthers, 2 Chambers, 22 Harquebuffes, 49 Mufketts, 46 Fowling-peices, 67 Carbins, 6 Pair of Pistols, 61 Swords and Belts, 15 Hallberds, 31 Heed-peices, 82 Beaver Speers, 50 flasks, [blank] pair of Bandeleers, 13 wt. Powder, [blank] Iron Bulletts, 2 ffrkins of
Lead

Lead Bullets, 2 Hoghd. Match, 955 lbs. of small Shot, 2 Drums,
15 Recorders and Hoyboys.

Stores.

50 Cloth Caffocks & breeches, 153 Canvas Caffocks and breeches,
40 Shott Caffes & Breeches, 80 Shirtt, 58 Hats, 40 doz. Courfe
Hofe, 130 pair Shoes, 204 pair Stockins, 79 Monmouth Caps,
149 pair small Hofe, 27 lined Coats, 4 Rugs, 15 papous Coates,
23 Red cloth Waft Coats, 16 Moofe Coats, 9 ps. Red Bays, 375
yds. of Saile Cloth, 12 Bolts of Canvas, 12 Hides of Shoe
Leather, 17 ct. wt. Lead, 14 Iron Pots, 23 Iron Kettles, 1276 lb.
wrought Pewter, 504 lb. wrought Brafs, 5 Bll. Nails. 1 Barl.
Spikes, 146 Barrs Iron, 23 Barrs Steel, Quantities of all forts of
Smiths, Coopers, Mafons Tools, 19 Bll. Pitch, 16 Bll. Tar, 5 Quoils
of Rope of $2\frac{1}{2}$ inches, 3 Quoils Rope $3\frac{1}{2}$ inch, 10 Cables of
4 inches, 12 Herring Netts, 6 Seans, 70 Codlines, 67 Mackrill
lines, 11 Gang Cod Hook, 30 doz. Mackrill hooks, 10 Squid lines,
70 Knots Twine, 1500 Boards, 1151 pine Planks.

Provisions.

140 Bushels Corn, 8 Bar. Oate meal, 32 Bar. meal, 15 Butts Malt, 29
Bar. Peafe, 153 lb. Candles, 610 lb. Sugar, 1512 lb. Tobacco, 6
Pipes of Wine, 170 Galls. Aquavita, 2 Chirurgeon's Chefts.

Cattle.

31 Cows, 3 Bulls, 15 Steers & Heifers, 12 Calves, 63 Sheep, 29
Lambs, 52 Goats, 67 Hogs, old & young, 19 Mares, Horfes &
Colts.

Fishing Trade.

6 Great Shallops, 5 Fishingboats with Sails, Anchors & Cables.
13 Skiffes.

For Religious Use.

1 Great Bible, 12 Service Books, 1 Pewter flaggon, 1 Communion
Cup & Cover of Silver, 2 fine Table-Cloths, 2 Napkins.

AT

AT NEWICHEWANOCK.

Arms and Ammunition.

- 2 Robenets, 2 Murthers, 2 Chambers, 9 Harquebuffes, 47 Musketts & Bandleers, 28 fflowling pieces, 33 Carbines, 4 Cafe Pistols, 36 Swords & Belts, 6 Bar. Powder, 57 Bullets, 1 firkin lead Bullett, Bar. Match, 1 Drum, 504 Small shot.

Stores.

- 31 Cloth Caffocks & Breeches, 35 Canvas Caffocks, 55 Stuff Coats & Breeches, 67 Shirts, 43 Hats, 191 pr. Shoes, 152 pair of Stockins, 28 Monmouth Caps, 43 lined Coats, 32 Red West Coats, 6 ps Bays, 4 Bolts Canvas, 14 ct wt Lead, 793 pewter, 594 ct Brafs, 482 of Copper, 3 Bar Nails, 90 Bars Iron, 15 Bars Steal, all forts of Smiths, Carpenters, Masons, Coopers Tools, 2 Seans, 344 pine planks, 1073 Boards.

Provisions.

- 192 Bushells Corn, 5 Bar. Oatemeal, 15 Bar. Meal, 12 Butts Malt, 9 Bar Pease, 97^c Candles, 390 Tobacco, 370^c Sugar, 2 Pipes Wine, 240 Galls. Aqua vita, 1 Chirurgeons Chest.

Cattle.

- 24 Cows, 2 Bulls, 22 Steers & heifers, 10 Calves, 92 Sheep & lambs, 27 Goats, 64 Hogs, old & young, 13 Mares & hofes, 9 Colts.

This is a true Inventory of the goods left by Capt. Walter Neal to be deliuered to Henry Jocelyn, Esq., by command of Capt. John Maſon, & receiued by us.³⁴¹

AMBROSE GIBBINS,
THOMAS WENERTON.

Vera Copia, Teſte,

R. CHAMBERLAIN.

³⁴¹ This inventory is copied from *ealological Register*, Vol. II. pp. 40, 41, the *New England Historical and Gen-* where it is printed from an old copy of the

The Names of Stewards and Servants sent by JOHN MASON, ESQ., into this Province of New Hampshire.

Walter Neal, <i>Steward</i> ,	William Chadborn,	Thomas Canney,
Ambrose Gibbins,	Francis Matthews,	John Symonds,
<i>Steward</i> ,	Humphrey Chadborn,	John Peverly,
Thomas Comock,	William Chadborn, Jun ^r ,	William Seavy,
William Raymond,	Francis Rand,	Henry Langstaff,
Francis Williams,	James Johnson,	William Berry,
George Vaughan,	Ant. Ellins,	Jeremy Wolford,
Thomas Wonernton,	Henry Baldwin,	James Wall,
<i>Steward</i> ,	Thomas Spencer,	William Brookin,
Henry Jocelyn, <i>St.</i> ,	Thomas Furrall,	Thomas Walford,
Francis Norton, <i>Steward</i> ,	Thomas Herd,	Thomas Moor,
Sampson Lane, <i>Steward</i> ,	Thomas Chatterton,	Joseph Beal,
Reginald Furnald,	John Crowther,	Hugh James,
<i>Chirurgion</i> ,	John Williams,	Alexander Jones,
Ralph Gee,	Roger Knight,	John Anlt,
Henry Gee,	Henry Sherburn,	William Bracket,
William Cooper,	John Goddard,	James Newt,
	Thomas Furnold,	<i>Eight Dances</i> ,
	Thomas Withers,	<i>Twenty Two Women.</i> ⁹²²

LXXV. MASON

the document. The next article, *The Names of Stewards and Servants*, is from another old paper, the date of which is unknown. It is reprinted from the same volume, p. 39.

⁹²² The names of the following persons also in the employ of Capt. Mason or the Laconia Company appear in the first volume of the *New Hampshire Provincial Papers*: Thomas Blake, p. 71; Thomas Clarke, p. 82; Thomas Crockett or Crockwood, p. 82; William Dermitt, p. 81; Stephen Kidder or Teddar, pp. 70 and 82; Charles Knill or Neale, pp. 71 and 75; John Pickering, 87. Edward Godfrey was also entrusted with property at Pascataqua.

There is in the sixth volume of *Colonial Papers* in the British State Paper Office a petition to the Privy Council from Sidrack Miller, of London, cooper, showing that by contract with John Mason of London, John Cotton and Henry Gardiner, and the rest of the adventurers for the province of Laconia in New England, Miller and two servants were transported to Pascataqua, where they worked for the Company eighteen months; that being sent to England by the Governor, he left his servants there, who have since been suddenly discharged destitute of means or friends; that the Governor would not pay their passage-money nor the Company

LXXV. MASON TO NICHOLAS.

JULY 11, 1635.

WORTHY S^r

There is nothing of moment at p'sent to advertise you of. The King's fleet is not as yet Retourned. The only newes is that the Dunkerckers floopes have and doe daily take many of the french bankers & other small Shippes. One of their Sloopes sent into this harbor about 14 Dayes since a prize of 60 Tonns wth 1400 banckfish hir owner was the Bishopp of Newhaven; and the same floope as is Reported hath taken & fould 5 other prizes, one at y^e Cowes to Rob. Newland, a flemish bottom of about 160 Tonns & 4 others at Waymouth poole & to the westward. They speake of above 150 sayle of french brought into Dunkercke Ostend & Gravelinge. S^r I pray you be pleased to move the [?] when you fynde a convenient tyme for a warrant for my viceadmiraltie in New England; That which I had from the Councell of that Corporation, when I shewed it, you thought it littell ptine^m to the viceadmiraltie, fforasmuch as it cheifly concerned the suppressinge of pyratts & planters & Traders y^t should infest y^e coast or come there wthout licence; much of the same nature was that Comission granted by my lo: Duke for Newfoundland; New England is lardge & spacious & the plantations doe extend alreddy 300 miles vppon the Seacoast; The English Inhabitants are supposed about 13000 & 6 sayle of Shippes at least if not more belonging to the plantations, beydes Resorters for fishing & Trade & such as carye people and Cattell yerelie amount to above 40 sayle. Theis things

Company settle the money due to the petitioner. Prays that the Company may be ordered to pay the money due to him and his two servants for the work done according to contract. *Vide Original Documents in the English Archives relating to Maine*, by George

Folsom, 1858, p. 8, and *Calendar of State Papers, Colonial*, edited by W. Noël Sainsbury, Vol. I. p. 138. The document has no date. Mr. Folsom conjecturally assigns it to the year 1634, and Mr. Sainsbury to the year 1631.

things considered wth the great distance from the seat of justice here when need shall be thereof, & occasions doe & will p^resent daylie causes of controversie. Their L^{ps} I hope will be the sooner induced to give my warrant a Dispatch & to carry wth it such an Amplitude as that Country and matters there maye Require. We are as busye as we may about Repayringe the walls of the moat & drawbridge & Gates of Southsea Castell in the first place, but before we come to make loadings & places for Stoares this 400^{li} we have Received will be expended as the Engeneire sayth so that I must come wth a suit to the Lords for more moneys shortly. We are the outwork of the Towne & first & cheif guard of the harbor & I would fayne be in some reddines for the french against they become our Enemye which will be very shortly if my Callender be true. I have not as yett Received any part of my supply out of the Tower so y^t I am ashamed to see o^r weaknes. I am still like an evill debtor Runninge on the Skore wth yowe ; but you are pleased to interprett all things lovingly & to be still like yo^r selfe wth & to him That is

Your very lo: friend & servant

JHON MASON.

PORTSMOUTH this 11th of Julye 1635.

[Addressed] To the Right Worshipful
Edward Nicholes Esquier
Secrettarie for the Admiraltie
in Kings Street in Westminster
deliver

[Endorsed] Julij 1635
Capt. Mason concning his pattent to
be Vice Ad^l of New England.

— State Papers, Colonial. Vol. VIII. N^o 71.

LXXVI. ORDER FOR A PATENT FOR MASON
AS VICE-ADMIRAL OF NEW ENGLAND.

OCTOBER 1, 1635.

WHEREAS it is his Ma^{ties} pleasure That Captaine John Mafon Treasaurer to his Ma^{ties} late Armies shalbe Vice Admirall of New England in America: These are to pray & require yo^r to cause a Patent to be forthwth drawn vp, & issued (in his Ma^{ties} name) vnder the Great Seale of the Adm^{ty}, authorizing the said Captaine John Mafon to be Vice Admirall of his Ma^{ties} Dominion in New England, wth lyeth betweene fforty & fforty-eight Degrees of Northerly Latitude, the same being (as wee are informed) according to the extent of a former Patent, wth the Councill & Corporation of New England hath now surrendred to his Ma^{ties}: wth new Patent is to comprehend the South Seas & Coastes thereof, together wth California & Nova Albion being all conteyned wthin the said Latitude, and alsoe all Lakes & loughes wthin the lands whether they be fresh, or Salt water, being wthin the said Latitude: W^{ch} sayd Patent of Vice Admirall is to continue during his Ma^{ties} pleasure, & to conteyne such authoritye as is used to be granted to any Vice Admirall here in England; wth power to appoint Deputies, & vnder Officers (the Judge, Register & Marshall excepted) as alsoe wth such clauses, & provisos for making yearly due accompts, & otherwise, as is expressed in the Patents graunted to Vice Adm^{ls}: here in England: ffor w^{ch} this shalbe yo^r warraunt: ffrom Whitehall this first day of October. 1635.

FRA COTTINGTON

DORSET

FRAN: WINDEBANK

[Addressed] To o^r very loving friend S^r Henry Martin
K^t Judge of the high Court of Adm^{ty}

[Endorsed] Capt. Mafon. 1st October 1635.

— State Papers, Colonial. Vol. VIII. Art. 80.

LXXVII. MASON

LXXVII. MASON TO WINDEBANK.

1635.

The abuses now Committed in his Ma^{ties} ffortes & Castles.

THE King alwaies payeth for full Companies of Souldiers whereas in most ffortes a good part are wanting.

Divers that doe serve & ought to have the Kings full allowance of pay are Compounded wth for a small some w^{ch} the Cap^t puts in his purse to the dishonor & disservice of the King.

Banckrupts & others that are malefactors are intertained into the Kings fortes & protected from Justice.

Souldiers & Gunners places as they fall are sould for monie w^{ch} ought to be given to deserving men gratis.

The Cap^{ts} take noe oath to the King, nor haue they any orders or instruccions how they or their souldiers ought to demean themselves, in their places, But think them selues by their patentees no other waies tied to duety, than they that haue the keeping of a lodge in a parke.

The Kings landes belonging to divers Castles are lost by Cap^{ts} Neglects or their Connivency or by their combyning wth such as haue made incroachm^{ts} vpon them as Southsea Castle landes, Calmer Castle landes Hasellworth Castle landes & divers others.

Manie of the Castles for want of due reparacions (w^{ch} most haue not had these 60 yeares) are fallen to Ruine & there is not any officer that hath the oversight of them That might informe his Ma^{ties} Counsell, or the Lord Tr^{er} of anie of the matters that they may be reformed.

To redresse these abuses Cap^t Mason by Comission is Inioyned twice every yeare to travaile from one end of the kingdome to an other & to crosse the seas to Jerfey & Gernsey. He is to be accountable to the Board & the Commissioners for all his doings & to the Exchequor for all monies he shall receive & pay or save to the King
by

by checks of dead paies or otherwise, And hath allowed him for his paynes but 13^s 4^d per diem a very small pay in consideration of his so great travaile & expences & the service that he is by this Commission to performe for his Ma^{ty}:

Capt Mafon is content wth the office for his life
wherefore

The perpetuity of the office maie be left out of the Commission, if it shall please the Lo: Commis^s for the Treffory so to haue it.

[Endorfed] for M^r Secrettary
Winnebanck.
Capt: Mafon.

— State Papers, Domestic. Charles I. Vol. CCCVI. N^o 98.

LXXVIII. INDENTURE TO FRANCIS
MATTHEWS.

OCTOBER 1, 1637.

THIS INDENTURE made the first day of October, Ann. Do. 1637, and in the thirteenth year of the rayne of our Sovereigne Lord King Charles :

Whereas Sr. Ferdinando Gorges, Knight, Capt. John Mafon, Esquire and their asotiates, by virtue of a pattente is rightly invested and leased on a parsell of Land in New-England, in America, called Piscataway, and for the profecutinge of thear affairs in thos parts, hath asigned Richard Vines, Henry Joslin and Thomas Warnerton, gentlemen, theare agents ; wee, therefore, Richard Vines, Henry Joslin and Thomas Warnerton, do demise, grant, lette unto Francis Mathews, all that parsell or portion of lands in Pascataway River, lyinge upon the north west side of the great Island, commonly called Muskito Hall, beinge a necke of land by estimation on[e] hundred
acres

acres or thear abouts, more or lefs, to have and to hould all the demised premifes, the appurtenanfes to the fayd Francis Mathews, his heirs, executors, adminiftrators, affigns, from the date hereof, untill the terme of on[e] thoufand years be fully compleat and ended, yealding and payinge thearfor the annual rente of two fhillings unto the fayd Sir Ferdinando Gorges, Capt. John Maffon, their heirs, executors, adminiftrators and affigns, if it be lawfully demanded, uppon every ffirft day of October during the fayd terme of on[e] thoufand years. In witnefs of the truth ? we have hear unto fete our hands and feales the day and year above wrighten.

RICH. VINES,
HENRY JOCELYN,
THO. WARNERTON.

Witneffe,

NARIUS HAWKINS,

Vera copia.

[Indorfed] Vines, Joflin and Warnerton
to Francis Mathews, for Musketo Hall,
October, 1637.

— New Hampshire Provincial Papers. Vol. I. pp. 98, 99.
From Province Records. Book I. p. 34.

LXXIX. MRS. MASON TO GIBBONS.

MAY 6, 1638.

LOVING FRIEND MR. GIBBENS :

I underftand that you have fome fwine in yo^r hands belonging to my late hufband, Captaine John Mafon, and now to mee. I pray good Sr. deliver them speedily to y^e bearer hereof, Ffrancis Norton, whom I have made my general attornie for my whole eftate in yo
parte,

parte, to whom I pray you afford your loving assistance in what is convenient, and your equitie and love herein shall oblige mee to remaine.

Yo^r loving friend,

ANNE MASON.

EAST GREENWICH, May 6th, 1638.³⁴³

[Superfcribed] To her loving friend
Mr. Ambrose Gibbens there.

— New Hampshire Provincial Papers. Vol. I. p. 99.
From Province Records, p. 35.

LXXX. DEPOSITION OF JAMES WALL.

MAY 21, 1652.

THE Deposition of James Wall, taken the 21 of the 3 month 1652. This Deponent sayeth that aboute the yeare 1634, he with his partners William Chadbourne and John Goddarde, came ouer to New England upon the accompt of Captaine John Mafon of London, and also for themselues, and were landed at Newichawannock vpon certaine lands there which Mr. Goieslem Captaine Mafon's agente brought them vnto, with the ladinge of some goodes, and there they did builde vpp at the fall there (called by the Indian name Asbenbedick) for the vse of Captaine Mafon & ourselues one sawe mill and one stampinge mill for corne³⁴⁴ w^{ch} we did keep the space of three or foure years next after; and further this deponent faith, he builde one house vpon the same lands, and soe did William Chadbourne an other & gaue it to his sonne in law Thomas Spencer who
now

³⁴³ Only the signature of this letter is in the handwriting of Mrs. Mafon. A facsimile of the signature will be found at the end of this volume. ³⁴⁴ *Vide ante*, p. 78, and "Contract with Wall and Others," *ante*, March 3, 1633-4.

now lives in it ; and this deponent also sayth that we had peaceable and quiete pofession of that land for the vse of Captaine Mafon afforefaide, and that the faid agente did buye some planted ground of some of the Indians which they had planted vpon the faide land, and that Captaine Mafon's agente's fervants, did breake vp & cleare certain lands there and planted corne vpon it and all this is to his beſte remembrance.

James Wall ſworne whoe affirmed vpon his oath that the ſmifes was true. Sworne before me

GEORGE SMYTH

— Maſſachuſetts Archives, Vol. III. p. 444.

LXXXI. ACTION OF KING'S LYNN ON MASON'S BEQUEST.

JANUARY 29, 1654-5.

1654. At the Congregation there houlden, Monday, January, the 29th
(Tho: Greene, Mayor)

WHEREAS we are informed that John Maſon, late of the City of London, Eſq., deceaſed, by his laſt Will & Teſtam^t, dated the 26th day of November 1635, did give & bequeath unto the Mayor & Corporation of the towne of Kings Lynn in the County of Norff., & to their ſucceſſors for ever, 2000 acres of land in his County of New Hampſhire, or Manor of Maſons Hall in New England, under the yearly rent of one penny, with this proviſoe, likewiſe, amongſt others, that the ſaid Mayor & Co^monalty, their ſucceſſors or aſſignes, ſhould, within five yeares next after his deceaſe, plant & ſett upon the ſame 2000 acres five families of people, at leaſt, to plant upon the ſame ; and whereas the ſaid John Maſon hath been dead about or neare twenty yeares ; and yet notwithstanding the ſaid Mayor & Co^monalty have

have not hitherto thought it meete to accept of the same, by reason of the great charges which would necessarily follow thereupon ; and whereas we are desired by Robert Greene of Swafham in this county, mercer, to assigne unto him the said 2000 acres ; we, therefore, taking the same into consideration, and findeing, not only our Tyme for acceptance of the same to be elapsed, but alsoe the great charges which would follow in case we should have accepted it, doe therefore order that an instrument be (according to the request of the said Robert Greene) made & sealed with the common seale, granteing thereby unto him all our right, title, & interest which we have in & to the said 2000 acres, the same to be made according to such forme as is now this day read in this house.

— From the Hall Book [*i. e.* Minute Book of Proceedings, Orders, &c., of the Corporation] of King's Lynn Co., Norfolk. Vol. VIII.

LXXXII. DEPOSITION OF HENRY JOSSELYN.

JULY 4, 1661.

Affidavit of Henry Jocelyin.

HENERY JOCELYIN Aged ffivety Swareth that Aboute Twenty Eight or Twenty nine years Sinse Capⁿ Walter Nele Gave unto M^r Ambros Gibbons a Certaine Tracte of Land on Piscattaway River called Sanders Point Lyinge betwene the Little Harbor and Sagamores Creeke (for and In Consideratyon of his services Performed to the Company of Laconia) to containe in proportyon of Acres to the other Dividends gave unto Capⁿ Tho^s Cammocke³⁴⁵ M^r

³⁴⁵ Sir Ferdinando Gorges and Capt. John Mafon confirmed the grant of Neale to Cammock, by a deed dated May 1, 1634, which deed is printed in the *New England Historical and Genea-*

logical Register, Vol. XXXII. pp. 53, 54. The original of this deed is in the possession of John S. H. Fogg, M.D., of South Boston, Mass.

M; Tho; Wannerton and myfelfe on the other fide of the River and
fferther faith not.

Dated This 4th July 1661 —

Taken upon oath before me this fforth of the ffeith month one
Thouſ^d Six Hundred fixty one: 1661.

NIC: SHAPLEIGH

Recorded — 30th Jan'y: 1706 p W^m VAUGHAN *Record*.

— Rockingham Records. Lib. 5. Fol. 185.





THE
ROYAL CHARTER TO CAPT. JOHN MASON,
AND OTHER DOCUMENTS.

I. CHARTER FROM CHARLES I. TO
CAPT. JOHN MASON.

AUGUST 19, 1635.



THE first statement which I have met with that a charter from the King was obtained by Capt. John Mason is in a pamphlet, printed in 1728, entitled, —

A Short Narrative of the Claim, Title, and Right of the Honourable Samuel Allen Esq. Deceased to the Province of New Hampshire in New England: Transmitted from a Gentlewoman in London to her friend in New England.

Prefaced to the Narrative is a brief letter, dated "London, July 2. 1728," and signed "I. A.," in which it is stated that the writer had caused "a brief account of Mr. Allen's right to said Provinces" to be prepared. Then follows the Narrative,
in

in which, among the evidence produced, is an abstract of a charter to John Mafon, dated August 19, 1635. Later references to such a charter are found. William Douglass, M.D., in his "Summary, Historical and Political," Vol. I. 1749, p. 418, states that King Charles by patent, August 19, 1635, confirmed the grant of New Hampshire; and in Vol. II. 1753, p. 24, he reprints an advertisement of John Hobby and John Adams, who claimed, under a deed of sale August 28, 1706, from Thomas Allen, son and heir of Samuel Allen, to Sir Charles Hobby, grandfather of John Hobby, one half of the lands which the advertisement states were "granted to Capt. John Mafon of London, by Letters Patent from the Council established at Plymouth, dated March 9, 1621, and confirmed to him by Charter, August 19, 1635." This advertisement appeared in the "Boston Post Boy," November 20, 1749, from which newspaper it was reprinted by Douglass.

There has been much controversy upon the question whether a charter was actually granted to Mafon. Nothing purporting to be a copy of such a document has till now been produced. But in March last, after the copy for the preceding pages was all in the hands of the printers and nearly all the matter was in type, William M. Sargent, A.M., of Portland, Maine, the editor of the "York Deeds," to which reference has already been made,³⁴⁶ and also of the "Maine Wills," now in press, was requested by the Publishing Committee of the Maine Historical Society, under whose charge the "York Deeds" are published, to furnish for the second volume of that work an explanation of the reasons which led

Robert

³⁴⁶ *Vide ante*, p. 209, foot-note 311.

Robert Mafon in 1667 to cause the two grants from the Council for New England to his grandfather Capt. John Mafon³⁴⁷ to be recorded in Maine. Mr. Sargent, in looking up the history of the matter, had the good fortune to hear of a folio manuscript volume of eighty-four pages in the possession of Mr. Moses A. Safford, of Kittery, and to obtain it as a loan. The book contains certified copies of documents supporting the claims of Capt. John Mafon, and those who held under him. Among these documents³⁴⁸ is a copy of what purports to be a charter from Charles I., dated August 19, 1635. This is certified to be a true copy examined and attested by Richard Chamberlain,³⁴⁹ Secretary of the Province of New Hampshire.

There are three views to be taken of this document, of which a copy is here preserved: first, that it is a genuine charter; secondly, that it is an unexecuted charter or a draught of one;³⁵⁰ and thirdly, that it is a forgery.

The chief evidence that it is genuine is the copy of the charter

³⁴⁷ These grants are printed in full, *ante*, pp. 209-215.

³⁴⁸ A detailed list of the documents was printed in the *Portland Advertiser*, April 11, 1887, and reprinted in the *Boston Evening Transcript*, April 15, 1887.

³⁴⁹ Richard Chamberlain was the second Secretary of the Province of New Hampshire, and held this office under Cutt, Waldern, and Cranfield. He was the author of *Lithobolia*, published at London in 1698, and reprinted in the *Historical Magazine*, New York, 1861, Vol. V. pp. 321-327. His predecessor as secretary of the province and clerk of the council was Elias Stileman, whose record of the proceedings of the council of New Hampshire from Jan-

uary 1, 1679-80, to December 22, 1680, is printed in the *Proceedings of the Massachusetts Historical Society*, September 12, 1878, Vol. XVI. pp. 256-279, with annotations and an historical preface by Charles Deane, LL.D.

³⁵⁰ The Council for New England, after dividing their territory and before surrendering their Charter, petitioned the King to order the Attorney-General to draw up patents for the grantees of the several divisions (*vide ante*, p. 207). It is possible that Mafon may have had a draught of such a charter as he wished to obtain drawn up, or he may have had the formal document prepared, and this may have been found among his papers.

charter here preserved, and the attestation of Richard Chamberlain as Secretary of New Hampshire that it is a true copy; the presumption being that Chamberlain had the original charter before him, and had made proper investigation of its authenticity. The statements quoted at the beginning of this article are also evidence that such a charter was claimed to be in existence. The fact that other documents in this volume, which are certified to by Richard Chamberlain bear date 1683, renders it probable that this was certified to at about that time, and as Chamberlain was the intimate friend of Robert Mason, the inference is that Mason had then possession of the original. The copy certainly was made not far from 1683, as Chamberlain signs it as Secretary of the Province of New Hampshire, and he held this office only from 1680 to 1686. There are other documents in this newly found volume, which, though referred to in various places, I have not met with in print or manuscript. Most of them, however, are preserved in the British State Paper Office or elsewhere.

Some of the reasons for believing that it is either an instrument not fully perfected or a forgery are: (1) No contemporary evidence has been produced to show that Charles I. granted a charter to Mason. (2) George Vaughan, writing from London, April 10, 1636, to Ambrose Gibbons, says that Sir Ferdinando Gorges told him that Mason was prevented by death from procuring a patent from the King.⁸⁵¹

(3)

⁸⁵¹ "He told me he is getting a patente for" his own division "from the Kinge from Piscataqua to Sagadahock, and that between Maremake and Piscataqua he left for Mr. Mason, who, if he had

lived, would have took a pattent for that also." — *Letter of George Vaughan in the New Hampshire Provincial Papers*, Vol. I. pp. 97, 98.

(3) "The Lords of Trade, in a report to the King in 1753, say: 'It is alleged that the last grant to Mason was confirmed by the Crown by charter dated August 19, 1635, with full power of civil jurisdiction and government; *but no such charter as this appears upon record.*'"³⁵² (4) The ground of Mason's claim to territory in New Hampshire is explicitly stated in the commissions issued by Charles II. to John Cutt, September 18, 1679, as president, and to Edward Cranfield, May 9, 1682, as Lieutenant-Governor of that province; but this ground is not a royal charter to John Mason, but simply grants to him from the Council of Plymouth. (5) There is no reference to a charter from the King in any of the petitions of Robert Mason, nor in the two statements of his title, nor in the legal opinions in his case, nor in the records of the Privy Council that have been printed.³⁵³

It

³⁵² Farmer's edition of Belknap's *History of New Hampshire*, p. 15, foot-note.

A century and a third have passed since the Lords of Trade made their report, and still no evidence from the record offices of England has been produced showing that a charter to Capt. John Mason passed either the Great Seal or the Privy Seal. The process of passing Letters Patent under the Great Seal is a very complicated one. *Vide* a paper by Charles Deane, LL.D., on *Forms used in issuing Letters Patent*, in the *Proceedings of the Massachusetts Historical Society*, December, 1869, Vol. XI. pp. 168-188. Had a charter passed any of its stages, there ought to be some record preserved. I trust that exhaustive search will be made in the British Archives.

³⁵³ I have met with no proof that a charter was produced as evidence in any court of law at any time. The nearest

approach to proof is this very copy, and its certification by the Secretary of the Province of New Hampshire. As it is found among documents which were sworn to in court, it may reasonably be supposed that it was used in the same case; but if such be the fact, it is singular that this is not noted in the certification. Other documents in the volume are certified to as being sworn to in court, and as being under seal; but Chamberlain omits to certify these facts concerning this alleged charter, which, if valid, is the most important document of all. It is hard to understand why, if this charter be genuine, it was treated with such neglect. Why, it may be asked, was it not produced by Mason when his case was on trial in England, particularly in 1677, when the cases of himself and Gorges were heard by the chief justices of the King's Bench and Common Pleas. It is evident that he did

It is to be hoped that further developments concerning the history of this Charter will be made, and that the mystery which surrounds it will eventually be cleared up.³⁶⁴

The Charter is here printed by permission of Mr. Sargent, from his Introduction to the second volume of "York Deeds," now in press. It is as follows:—

CHARLES by the Grace of God King of England Scotland France & Ireland Defender of the faith &c To all to whome these presents shall come Greeting Whereas our trusty and welbeloved Servant Captain Iohn Mason Esq^r Treasurer and Paymaster of Our Armies hath been an humble Suitor unto Us to grant and confirme unto him and his heyres a part and portion of the Country of America now commonly called or known by the name of New England in America hereafter in these presents described and to be described by the Meetes and bounds thereof with diverse and Sundry privileges and Jurisdictions for the welfare of the State of those Colonies that are and shalbe drawne thither and for the better Government of the people that shall live and inhabit within the Limits and precincts thereof Which part or portion Wee have heretofore amongst other things for Us our Heyres and Successors taken into Our actual and real possession and in default of Such actual & real possession formerly taken doe by these presents for Us our Heyres and Successors

did not produce a charter, for both Mason and Gorges laid claim to the government of their territories; but when they both "waived the pretence of a grant of government from the Council of Plymouth, wherein they were convinced by their own council that no such power of jurisdiction could be transferred or assigned by any color of law," the justices decide that the question was reduced to the Province of Maine, where

Gorges had a grant from Charles I. *Vide* Belknap's *History of New Hampshire*, Vol. I. App. p. 29.

³⁶⁴ John Farmer, in his edition of Belknap's *History of New Hampshire*, in a foot-note, pp. 14, 15, prints the evidence on both sides, which he had met with on the question whether Mason had his title confirmed by the King. This is reprinted in the *New Hampshire Provincial Papers*, Vol. I. pp. 36, 37.

fors take the same into Our actuall and reall possession Knowe yee that of Our Speciall grace certain knowledge and mere ^{The Kings} motion Wee have given granted and confirmed and Grant by this Our present Charter for Us our Heyres and Successors Wee doe give grant and confirme unto the said Captain Iohn Mason his Heyres and Assignes All that part purport and portion of the Main land of New England aforesaid begining from the middle part of Naumkeck River and from thence to proceed Eastward along the Seacoast to Cape Anne and round about the same to Pascataway harbour and Soe forwards up within the River of Newichewanock and to the furthest head of the said river and from thence Northwestwards till Sixty miles be finished from the first Entrance of Pascataway harbour And also from Naumkeck through the River thereof up into the Land West Sixty miles from which period to crosse over land to the Sixty miles End accounted from pascataway through Newichewanock river to the Land Northwestwards aforesaid And also all that the South half of the Isles of Shoulds Together with all Ilands and Islets as well imbayed as adjoining lying or abutting upon or near the premises or any part or parcell thereof within five Leagues distance not otherwise lawfully granted to any by Speciall name All which part purport and portion of Lands Ilands and premises now are and from henceforth shalbe called by the name of Newhampshire And also of Our especial grace certaine knowledge and mere motion Wee have given granted and confirmed and by this Our present Charter for Us our Heyres and Successors Wee doe give grant and confirme unto the said Captain Iohn Mason his heyres and assignes All that other parcell or portion of Lands woods and Woodgrounds lying on the Southeast part of the River of Sagadahock in New England aforesaid at the mouth or entrance thereof containing there Tenn Thousand Acres which said other parcell of land now is and from henceforth shalbe called by the name of Masonia And also the Reversion and Reversions remainder and remainders of all and Singular the said lands Ilands and premises dependant or expectant upon any estate or estates whatsoever

upon record or not upon record be it for lease life or lives yeare or years ffee taile or fee tailles or otherwise Together also with all the firme lands Soyles and grounds aswell under water as above water and dry all the Shoares Creeks havons harbours bayes ports rivers waters lakes Mines Minerals and veynes of mettall aswell Royall of Gold and Silver as other be they Such mines minerals or veynes

The fifth part of the oare of Gold & Silver is reserved / of mettall as are close and hidden in the earth or openly Seen in or upon the Earth (Saving only the fifth part of all the oare of Gold and Silver to remain to Us Our Heyres and Successors) All Quarries precious Stones

pearls ambergris and all fishings of what kind or kindes of fish soever aswell pearle fishing as others whether Royall fishes as Sturgeons Whales or any other fish by whatsoever name or names they or any of them are or shalbe called or knowne And all Such fish whatsoever by him them or any of them to be taken And all and Singular profits benefits & commodities whatsoever happening growing or arising or to be happen grow or arise within or on the said tracts of land upon the Main/ and also within or on the said Islands or any of them and the Seas fflouds waters lakes and rivers within the said

Licence to found Churches tracts of land on the main or the Islands and coasts of the same or any of them/ And also all the advowfions and patronages of Churches whatsoever to be erected within the said tracts of the main land or Islands or any of them with licence and hability there to build and found Churches Chappels and Oratories in places fitting and convenient and to dedicate or consecrate the same or cause the same to be dedicated or consecrated according to the Ecclesiasticall lawes of this our Realme of England together also with all such and as ample Jurisdiccions prerogatives

All regall rights granted with the premises Royall rights royalties privileges franchises preheminnences liberties powers Exemptions and immunities temporalities and hereditaments aswell by Sea as land and aswell within the said tracts of land upon the main aswell within the said Islands or any of them and the coasts of or on the same or any part or parcell thereof as now are or at any time heretofore have been had used

used or enjoyed or of right ought to be or to have been had used or enjoyed by the now or any former Bishop of Duresme within the Bishoprick of Duresme or the County Palatine of Duresme within Our Realme of England or that Wee or any of Our Progenitors have heretofore granted or mentioned to be granted unto the now or late Company of Virginia or to the Governor & Company of Adventurers of the City of Westminster for plantation of the Isle of Providence Henrietta and the adjacent Islands lying on the coast of America or to any other Company body politicque or corporate or to our right trusty and welbeloved Cecill Calvert Baron of Baltimore within our Realme of Ireland or any other Adventurer or Adventurers planter or planters of the Somer Islands Amazones or of any discoveries plantations or traficques of in or into any forreigne parts whatsoever and in as large and ample manner as if the same had herein been particularly mentioned and expressed although the same require otherwise more especiall words clauses & expressions And Wee doe for Us our Heyres and Successors by these presents make create and constitute him the said Captain Iohn Mason and his Heyres The true and absolute Lords and proprietors of the said portions or Tracts of Lands Islands and premises (except before excepted) Saving allwayes the faith and Allegiance and the Dominion directly due to Us our Heyres and Successors To have hold possesse and enjoy the foresaid parts purports and portions of Lands Islands and Islets and all and Singular other the premises and also the reversion and reversions remainder and remainders thereof and of every part and parcell thereof dependant or expectant as aforesaid unto the said Captain Iohn Mason his heyres and assignes To the onely and proper Use and behoof of him the said Captain Iohn Mason his heyres and assignes for ever To be holden of Us our Heyres and Successors Kings of England as of Our Castle of Windsor in our County of Berks in free and Common Soccage by fealty onely for all manner of Services and not in Capite nor by Knights Service And also paying to Us our Heyres and Successors one Quarter of wheate after

The King
makes the pa-
tente absolute
Lord of the
province

The Haben-
dum

after the meafure in England called Wincheſter meafure yearly upon the feaſt day of Saint Michaell The Archangell to the hands of the officer or officers there in the parts of New England appointed for the receipt thereof And alſo the fifth part of all the Oare of Gold and Silver which ſhall happen yearly to be found gotten or obtained within the limits of the premifes And that the ſeverall parts and portions of lands & Iſlands ſoe deſcribed as aforeſaid may be graced and dignified with Titles fitting Know yee that of our more ample Grace certain knowledge and mere motion Wee have cauſed the ſaid Severall portions and traćts of lands and alſo the ſaid Iſlands to be reduced into a Province And that out of the fullneſſe of our power and prerogative for Us our heyres and Succeſſors Wee doe erect create and incorporate the ſame into a Province and doe hereby name both the ſaid traćts of Land upon the Main and the ſaid Iſlands by
The Name of the Generall name of the Province of New Hampſhire
the province / and doe alſo hereby name the ſaid parcell of Land containing Tenn Thouſand Acres by the particular name of Maſonia within the province of Newhampſhire and ſoe to be called reputed and taken for ever hereafter And that all the ſaid Severall parcels of Lands Iſlands and Iſlets ſhalbe reputed and taken as parts parcels or member of the ſaid province of Newhampſhire aforeſaid furthermore know yee therefore That for Us our Heyres and Succeſſors Wee doe give and grant full power by the tenor of theſe preſents unto the ſaid Captain Iohn Maſon (of
The Lord of the prov hath power to make Lawes with conſent of the freeholders
whoſe ffaith wiſedome juſtice and provident circumſpection Wee are very confident) and to his heyres for the good and happy government of the ſaid province of Newhampſhire to make what Lawes ſoever either pertaining to the publick ſtate of the ſaid province or to the private profit of all the Inhabitants thereof according to his or their ſound diſcretions by and with the conſent and approbation of the freeholders of the ſame province or the major part of them or of their Legats or Deputies who Our will and pleaſure is ſhalbe called together by the ſaid Captain Iohn Maſon and his Heyres or his or their Deputy or Deputies
for

for the making of the said Lawes when and as often as need shall require and in the forme which to him and them shall seem best And to publish or proclaim the same under the Seal of the said Captain Iohn Mason and his Heyres And Wee doe also give to him and them all manner of full power and authority duly to Execute the same upon

The Lawes to
be proclaimed
under the Seal
of the Lord of
the province/

all men within the said province and the limits of the same for the time being or under his or their Regiment and power either failing towards it from England or from it towards England or to or from any other our Dominions or the Dominions of any Strangers whatsoever by imposition of mulcts imprisonment or any other coercion And if need be and that the quality of the offence require it by deprivation of life or member by him the aforesaid Captain Iohn Mason and his Heyres or by his or their Deputies Lieutenants and Iudges Justices Magistrates Officers and Ministers according to the true intent and meaning of these presents to be appointed and made And also power and authority to constitute appoint and ordain by Sea and Land any Iudges Iustices Magif-

Power to ap-
point Iudges
&c.

trates and officers whatsoever and for what cause soever and with whatsoever power and in the forme which to the aforesaid Captain Iohn Mason or his Heyres shall seem best and to remitt release pardon and abolish any crime or offences whatsoever committed within the limits of the said province either before Iudgement given or after Iudgement received and to doe all other things pertaining to or which shall or may concerne the accomplishment or execution of Iustice And also power to make and appoint Courts prætorian and tribunal and the formes of Iudgements and manner of proceedings therunto belonging although of them in these presents there be no expresse mention And also power to proceed upon hold and determine pleas in those Courts pretorian and tribunal in any actions Suites causes and matters whatsoever aswell criminall as civill personal real and mixt and pretorian by the Iudges by them to be chosen Which lawes soe as aforesaid to be published or proclaimed Our will and pleasure is and Wee doe Enjoine charge and command that in the most

most absolute forme of Law that may be indeavoured the same may be kept and inviolably observed in those parts of all men Our Subjects and leige people and the Subjects and Leige people of Our heyres and Successors as farre forth as they shall concerne them And that also under the paines in the same expressed and to be expressed Soe as that the foresaid Lawes be consonant to reason and not

repugnant or contrary (but as farr forth as conveniently may) be agreeable to the Lawes Statuts Customes and Ordinances of this Our Realme of England And because in the Government of soe great a province Suddain chances and occasions may happen unto which there wilbe a

necessity of applying remedy before the freeholders of the said province or their legates or Deputies can be called together to the making of Lawes Neither will it be fitting continually in like cases arising to call together soe much people Therefore for the better Government of the said province Wee will and ordain by these presents for Us our heyres and Successors Wee doe grant unto the foresaid Captain John Mason and his heyres That he the said Now Captain Iohn Mason and his Heyres by himself or by his or their Magistrates and officers in that behalf duly as aforesaid to be appointed shall and may make ordain and constitute ordinances fitting and wholsome from time to time within the said province to be kept and observed aswell for the preservation of the peace as for the better Government of the people there abiding and shall publickly notify the same unto all persons whom it doth or may any wayes concerne Which ordinances within the said province Our will is shalbe inviolably observed under the pains therein expressed Soe as the same ordinances be agreeable unto reason and not repugnant or contrary but (as far forth as conveniently they may) be agreeable to the Lawes Statuts and Ordinances of our Realme of England and soe as the same ordinances extend not themselves unto the right and interest of any person or persons for or in his life member or freehold goods or chattels to be distrained constrained restrained bound charged or taken away in any manner And Wee are graciously pleased and for Us our Heyres and Successors

Successors Wee doe publish and declare grant and agree to and with the said Captain Iohn Mason and his Heyres for all times hereafter and for all causes That Wee our heyres and Successors will not make ordain nor appoint or otherwise (then as aforesaid) suffer or assent unto any Lawes or ordinances to be made ordained or appointed within or for the said province of Newhampshire nor suffer any Generall Governor by Us to be constituted to doe any Act by colour of any Commission to him granted or to have any power or authority thereby to doe anything which shall extend unto the right or interest of any person or persons within the said province for or in his or their life or lifes member or members lands or tenements goods or chattels whatsoever to be distrained constrained restrained bound charged or taken away And also that the said Governor from time to time to be constituted shall not have any power to extend his authority in any wise to hinder the due Execution of any the Lawes which shalbe made from time to time within the said Province of Newhampshire according to the true intent and meaning of this Our present Charter And that all lawes or ordinances to be made contrary to the effect intent and true meaning of these presents shalbe void and shalbe holden for none Nevertheless our will and pleasure is that it shalbe lawfull by the tenor of these presents to and for all the people there abiding and inhabiting from time to time to apply themselves unto Such a Generall Governor as from time to time shalbe constituted and sent over into the parts of New England aforesaid for the government of the whole Country and Territory of New England aforesaid and the people there Who shall from time to time be chosen and appointed by Commission from Us Our heyres and Successors for that purpose And to appeale unto him in manner according unto or as neer as conveniently can be done to the order of proceedings in like cases within Our Realme of England for remedy (if there be cause) within ffourty Dayes after any Iudgement decree or sentence in any cause or causes given against them or any of them touching the matter

The power of
the Generall
Governor over
the province

Liberty to all
men to appeal
to the Gen^l
Governor

matter of any such ordinance or ordinances as by Us our heyres and Successors under our Great Seal of England from time to time hereafter shalbe appointed for the better preservation and conservation of the peace better safety defence and Government of the said Country and Territories of New England and the people there If before such Iudgement Decree or Sentence the same ordinances shall not be received made and become the Law or Lawes of or within the said province of Newhampshire aswell as other the lawes of the said province and according to the manner of and for making of lawes there by Us herein appointed as aforesaid And that the said Governor shall have power by the tenor of these presents in manner according unto or as neer as conveniently may be done to the order of the proceedings in like cases within Our Realme of England by his final Iudgement Decree or Sentence to determine the matter (upon any Such appeal) according to Iustice and the true intent and

Licence for all
Persons to trans-
port themselves
into the Pville.

meaning of such ordinances Moreover that the said province and the people that shall increase and have recourse to the same may be made more happy and prouperous and may be the more secure and free from the invasion of the barbarous people and of other Enemies pirates robbers and Such as may threaten to make a prey of them hereafter Therefore for Us our heyres and Successors Wee doe give and grant by these presents licence and liberty unto all persons both Our Subjects and leige people for the present and the Subjects and leige people of our heyres and Successors in future time (except Such as shalbe Specially interdicted) to transport themselves and their families to the said province with convenient ships and company fitting And to plant inhabit fettle and continue there without any restraint or command to the contrary And also that no Ship nor marriner victuals ordnance artillery or habiliments of warr sett forth or employed for any Such voyage or belonging to the said province of Newhampshire or to any the inhabitants thereof shall not at any time hereafter be stayed either at Sea or in harbor unless it be for the necessary defence of Our Dominions only And Wee doe also grant unto

unto them licence to erect and build fforts Castles and ffortifications at the good liking of the said Captain Iohn Mafon To build fforts and his heyres and to furnifh them at all points com- &c
pleat for the publick defence and their owne The Statuts concerning ffugitives or any other Statute to the contrary thereof in any wife notwithstanding And alfo Our will and pleafure is and of our more free grace for Us our heyres and Succeffors Wee doe firmly give in charge ordain and command That the said province be in allegiance to Us and that all and Singular the leige people of Us our heyres and Succeffors drawne or to be drawne into the said province and the Children coming by defcent from them or from others whether now borne or hereafter to be borne may be and fhall be free Denizens and the leige people of Us our heyres and Succeffors of Our Kingdoms of England and Ireland and in all things fhall be holden reputed and had as the faithfull liege people of Us our heyres and Succeffors originally Springing up within our Realme of England And alfo may enjoy by difcent purchafe receive and take have hold buy and poffeff lands tenements revenues Services and other hereditaments whatsoever within our Realme of England and other Our Dominions of inheritance or otherwife and may ufe and enjoy the Same And may give Sell alien and bequeath the Same And alfo fhall have and poffeff all the liberties franchifes and priviledges of this Our Realme of England quietly and peaceably and may ufe and Enjoy the fame as well as Our leige people born within Our Kingdome of England or taking their originall there without any impediment moleftation vexation impeachment or greivance of Us our heyres or Succeffors whatsoever Any Statute act ordinance or provision to the contrary thereof Notwithstanding ffurthermore that our Subjects may be invited to this expedition with alacrity of mind Know yee that of our Special grace certain knowledge and mere motion Wee doe give and grant afwell to the said Captain Iohn Mafon and his heyres as unto all others from time to time inhabiting

The province to be in allegiance to the King.
All children born therein are free Denizens of England & Ireland.

or having Commerce with the Inhabitants of the said province for the advancement of the profit of the said province licence to carry all and singular goods aswell moveable as immoveable horses Mares goates Swine asses and all other kinds of beasts and cattle and all wares marchandise and commodities of what kind soever and all other things whatsoever necessary for food or rayment or for manuring or tilling the Earth (By the Lawes and Statuts of o' Kingdoms and Dominions not prohibited) unto any our ports or the ports of our heyres and Successors and to putt aboard and load them into any Ships and to export and transport the Same into the Said province of Newhamp-

To transport
all Sorts of
Armes. shire by himself or his or their Servants and assignes And also licence to export and transport any Armor

ordnance powder shott artillery or any other habiliments of warr defensive or offensive for the publick benefitt defence and safety of the said province and themselves without any impediment of Us our heyres and Successors or of any officer of ours or of our heyres and Successors Saving unto Us our heyres and Successors the impositions customes and other duties for the same things goods and Marchandise due and payable any Statute Act ordnance or other thing whatsoever to the contrary notwithstanding And because in such a remote Country seated amongst soe many barbarous Nations invasions may be feared aswell of those barbarous people as of other Enemies pirates and robbers Wee have likewise given and by these presents for Us our heyres and Successors Wee doe give power and authority unto the said Captain Iohn Mason and unto his heyres and assignes by him or them or his or their Captains and other officers over all men of what condition Soever or from whencesoever derived being within the Limits of the said province for the time being

To pursue
Enemies by
Sea and land/ To call them to their Ensignes to Musters and to take armes and encounter the Enemies or robbers infesting those parts and if God give victory to putt to flight expell and chase them out of the said province and to pursue them by Sea and land beyond the Limits of the said province and to take them or any of them And the Captives by the Iustice of Warr to put to death

or

or at their pleasure or for their service to preserve and keep And also
by force of Armes to recover from any person or persons All such
Lands Territories places Ships barques boates goods and chattels as
shalbe taken from them or any of them Or in defect of such recovery
to releive themselves upon the parties doing injury or ^{to make}
any other of the same Nation or Nations by way of ^{Reprisals}
reprisals and taking their ships and goods and men or otherwise as
they shalbe able for recompence and Satisfaction of any Such losse
and damage as they or any of them shall sustaine in any such case
and to doe and performe all things which to the duty and office of
Captain Generall of an Army doe belong or have been accustomed
to appertain as fully and freely as any Captain General of an Army
hath had Our will and pleasure is also and by this our present
Charter Wee doe give power liberty and authority unto the said
Captain Iohn Macon and his heyres as in case of Re- ^{To use Martial}
bellion suddain tumult or sedition if any (which God for- ^{Law in case of}
bid) should happen to arise either upon the Land within ^{Rebellion}
the said province or upon the main Sea in the Voyage Sailing to-
wards the said province or from the said province by him or them or
his or their Captains Deputies or other officers under his or their Seals
thereunto deputed unto whom also by the tenor of these presents Wee
doe for Us our heyres and Successors give and grant most ample power
and authority against all such insurrections and the seditious Authors
thereof and against such as shall withdraw themselves from his or their
Government raising warr Traytors fugitives Vagabonds or any of
them being Delinquents contrary to the order custome and disciplin
of warr That they may be handled and dealt with according to the
Law of Armes as freely and in as ample manner and forme as any
Captain General of an Army by virtue of his office may use the
same or hath been accustomed to doe furthermore least unto men
honestly born and applying themselves to the present ^{To conferre}
expedition and well deserving at our hands and of our ^{Titles of}
Kingdoms both in peace and warr The way to hono^r ^{honour}
and renowne might seem difficult and hard to find in soe remote and
farr

farr distant a Country Therefore for Us our heyres and Successors Wee doe give liberall and full power unto the aforesaid Captain Iohn Mason and his heyres to conferre favours and honours upon well deserving Cittizens and persons inhabiting within the said province And to dignify them with any titles and Dignities whatsoever (soe they be such as in England now are in use) according to his or their pleasure And also liberall and full power to create vil-
 To create
 Citties and
 Burroughs
 lages into Burroughs and Burroughs into Citties and to
 constitute and appoint such and soe many ffaires and
 Markets in them or any of them for the more conveniency of the
 Inhabitants and their continuance in those places and for the better
 settling and incorporating them with meet privileges and immunities
 and to doe all and Singular such other things whatsoever concern-
 ing the premises as to him or them shall seem to be most meet
 and convenient although they shalbe be such as of their owne nature
 doe require a more especial Commission or Warrant then in these
 presents is Expressed Our will and pleasure is also and by these pres-
 ents for Us our heyres and Successors Wee doe give and grant unto
 the foresaid Captain Iohn Mason his heyres and assignes and unto all
 the Dwellers and Inhabitants of the said province of Newhampshire
 whatsoever both for the present and future times Licence by this Our
 Royall Charter to export and bring all manner of wares and marchan-
 dise whatsoever of the fruites and Commodities out of the said prov-
 ince either Land Commodities or Sea Commodities by him or them
 his or their servants ffactors or assignes unto any the ports of Us
 our heyres or Successors both of England and Ireland and freely to
 import and bring in and to unloade or otherwise dispose of the same
 and if need be to take and loade againe in the Same Ships or in any
 other the same wares within one years continuance after the unload-
 ing thereof and shalbe able to export and deporte them into what
 Countries they please either ours or fforreigne in amity with Us our
 heyres and Successors freed and discharged by the Tenor of these
 presents of and from the payment of any Customes Subsidies taxes or
 duties other then the payment of ffive pounds p Centum only accord-
 ing

ing to the ancient trade of Marchandise heretofore used for wares marchandise and commodities due & payable unto Us our heyres and Successors And our will and pleasure is and for Us our heyres & Successors by the tenor of these presents Wee doe publish and declare that for and upon the paym^t of the said ffive pounds p Centum Wee doe freely exonerate acquitt and discharge the same Wares goods and Marchandise soe to be imported transported or exported as afore-said And Wee doe hereby Streightly charge and command our Lord Treasurer under Treasurer or any Commissioners for our Treasury the Barons of our Exchecquer and all other our officers Customers and Ministers for ever hereafter upon the veiw of this Our Royall Charter or the Inrolment thereof to Exonerate and acquitt the same according to the Tenor of this our Royall Grant beyound which Wee will not greive the inhabitants of the said province of New-hampshire nor any of them And furthermore of our more especial Grace certain knowledge and mere motion for Us our heyres and Successors Wee doe grant unto the said Captain Iohn Mafon his heyres and assignes full and absolute power and au-
thority to make erect and constitute within the province
afore-said such and soe many Sea ports keys for shipping
creeks and other places of lading or unlading and laying downe or
landing of goods and Marchandise out of Ships boates and other
vessels and to loade in the same and in such and soe many places
and with such rights of Iurisdiccions liberties and privileges to the
same ports belonging as unto him or them shall seem most expedient
and that all and Singular Ships boates and other vessels whatsoever
by reason of traffick or marchandising going and coming to and from
the said province shalbe laden and unladen at those ports soe by the
said Captain Iohn Mafon his heyres and assignes to be erected and
appointed as afore-said and not elsewhere any use custome or any
other thing to the contrary thereof Notwithstanding Moreover our
will is and Wee doe appoint and ordaine and by these presents for
Us our heyres and Successors Wee doe grant unto the afore-said
Captain Iohn Mafon his heyres & assignes from time to time for ever
To

To Erect ports
& kayes for
Shipping goods.

To have and enjoy all such Tolls and Subsidies in the ports and
 Tolls & keys for Shipping and all other Creeks and places afore-
 Subsidies to said within the province aforesaid payable and arising
 the Lord of for the marchandise and goods there to be loaden and
 the province unloaden as by the said Captain Iohn Mafon and his
 heyres within the said province from time to time as cause or occa-
 sion shall require shalbe reasonably assessed in that behalf unto
 whome by these presents for Us our heyres and Suc-
 cessors Wee doe give power for any just cause by due
 To assess Taxes proportion to assess and tax Tolls and Subsidies there
 and Subsidies / as aforesaid And furthermore of our Special grace certain knowledge
 and mere motion Wee have given granted and confirmed and by
 these presents for Us our heyres and Successors Wee doe give grant
 and confirme unto the foresaid Captain Iohn Mafon his heires and
 assignes full and absolute licence power and authority That the afore-
 said Captain Iohn Mafon his heyres and assignes from time to time
 for ever hereafter at his and their free will and pleasure shall or may
 assigne alien grant dimise or Enfeoffe soe many Such and soe great
 parts or parcels of the premises to any person or persons willing to
 purchase the same as he they or any of them shall find convenient
 To have and to hold to such person and persons as shalbe willing to
 take or purchase the same to them and their heyres and assignes in
 fee simple fee tayle or for terme of life or lifes or for yeares To be
 holden of the said Captain Iohn Mafon his heyres and Assignes by
 Such and Soe many and soe great Services customes and Rents as
 unto him the said Captain Iohn Mafon his heyres and assignes shall
 seem good and pleasing and immediately of Us our heyres and Suc-
 cessors And unto the same person and persons and to every of them
 Wee doe give and for Us our heyres and Successors Wee doe grant
 Licence and authority and power That such person and persons the
 premises or any part or parcell thereof of the abovesaid Captain
 Iohn Mafon his heyres and assignes may receive and
 To grant es- take and may hold to him and his assignes or to his
 tates & a con- heyres of any estate of inheritance in fee simple or fee
 firmation / tayle

tayle or otherwise as unto them and the now Captain Iohn Mafon his heyres and assignes shall seem expedient The Statute made in the parliament of King Edward the Sonn of King Henry late King of England Our progenitor commonly called the Statute of Quia Emptores terrarum in our Realme of England in times past made or any other Statute Act ordinance use law or custome or any thing claufe or matter to the contrary thereof heretofore had made ordained or provided in any wise notwithstanding And unto the said Captain Iohn Mafon and his heyres Wee doe for Us our heyres and Successors grant licence by these presents to create into Mannors any particular lands within the said province and in every Severall Mannor to have and hold Severall Courts To erect Courts Baron and to doe and performe all things which to a Baron

Court Baron belongeth And also to have veiw of ffrank pledges for the conservation of the peace and the better government in those parts by him or them or his or their Stewards When those Mannors shalbe constituted being Lord or Lords of those Mannors for the time being and to have and use all things which to the veiw of ffrank pledges doe belong or appertain And furthermore our will is and by these presents for Us our heyres and Successors Wee doe covenant grant and agree to and with the aforefaid Captain Iohn Mafon his heyres and assignes That if he or they shall at any time hereafter upon any doubt which he or they shall conceive concerning the Strength of this Our present Grant be desirous to renew the same from Us our heyres and Successors with amendment of Such imperfections and Defects as shall appeare fitt and necessary to be performed and amended by Us our heyres & Successors

That then upon the humble petition of the said Captain Iohn Mafon and his heyres Such further and better assurance of all and Singular the said tracts and portions of Lands Ilands and premises and of all and Singular other the privileges herein mentioned to be granted shall from time to time by Us our heyres and Successors according to the true intent of these Our

The King covenants to make better assurance if desired

Letters

Letters patents be granted unto the said Captain Iohn Mafon his heyres and assignes as by Our Attorney Generall or Sollicitor Generall of Us our heyres and Successors for the time being and the learned Counsell of the said Captain Iohn Mafon his heyres & assignes shalbe reasonably devised or advised And furthermore our will and pleasure is and by these presents for Us our heyres and Successors Wee doe covenant and grant to and with the foresaid Captain Iohn Mafon his heyres and assignes That wee our heyres and Successors will not impose at any time hereafter any impositions or customs or other taxations how Small Soever or any other contributions whatsoever nor doe nor cause to be imposed in or upon the dwellers or inhabitants of the foresaid province of Newhampshire for their goods lands or Tenements within the same province or upon any Lands Tenements goods or chattles within the said province or in or upon any the goods or marchandise within the said province or within any of the ports or Ships Keys of the said province to be laden or unladen And that this our Declaration in all Courts Judgement Seats and before any the Iudges of Us our heyres and Successors shalbe sufficient for the Exemption freedom and acquitting thereof from time to time to be received or allowed And Our pleasure is and for Us our heyres and Successors Wee doe will and command giving in charge unto all and Singular officers and Ministers of Us our heyres and Successors injoining them on pain of our high displeasure That they do not presume to attempt any thing to the contrary of the premises at any time or goe against the same by any means but shalbe aiding and assisting unto the said Captain Iohn Mafon and his heyres and to the foresaid inhabitants of the said province called the province of Newhampshire or of any part or parcell thereof and the Marchants aforesaid their Servants ministers ffactors and assignes in the fullest use and fruition of this our Charter and the benefitt thereof att all times as it becometh them And our will is also and for Us our heyres and Successors Wee doe declare and ordaine That the said province of Newhampshire shalbe

None to
attempt any-
thing against
the tenor of
this Chart^r

shalbe immediately Subject to our Crowne of England and dependant upon the Same for ever And if it shall happen that any doubt or questions shall hereafter arise about the true sense and meaning of any word clause or Sentence in this our present Charter contained Our will is and Wee doe charge and command that in all interpretations to be made thereof in all Our Courts & Judgement Seates the Same shalbe taken and adjudged most beneficiall and favourable unto and for the Said Captain Iohn Mason his heyres and assignes provided alwayes that noe interpretation be made whereby the Sacred word of God and true Christian Religion or the Allegiance due to Us our heyres and Successors may receive or suffer any prejudice diminution or disgrace And lastly Our will and pleasure is and by these presents Wee doe publish and declare and for Us our heyres and Successors Wee doe grant and agree to and with the said Captain Iohn Mason his heyres and assignes That these our Letters patents and all and Singular grants Clauses and things therein contained shalbe and continue firme Strong and effectual in Law and shalbe construed reputed and taken aswell to the intent and meaning as to the words of the Same most gracious and favourable and to the benefitt of the said Captain Iohn Mason his heyres and assignes any omission misinformation or defects in these presents or any Lawes Statuts or other clauses or matters to the contrary Notwithstanding and although express mention be not made of any gifts or Grants by Us or any of our progenitors or predecessors to the foresaid Captaine Iohn Mason his heyres and assignes heretofore made And Notwithstanding the misreciting or not rightly and truly reciting of any Letters patents Grant or Grants heretofore made of the premises or of any part thereof or of any particular thing therein contained or Notwithstanding any misnaming or not nameing of any the said Lands Island or Islands or any of them or the places degrees or coasts wherein or whereupon they be or any Statute act ordinance provision proclamation or restraint to the contrary thereof heretofore had made ordained or provided or any matters clause or thing whatsoever to the contrary

The province
is ordained to
be in Subjection
to the
Crowne of
England /

in any wise Notwithstanding In Witnefs &c Witnefs Our Self at Westminfter the Nineteenth Day of Auguft 1635 and in the Eleaventh year of Our Reign/.

This is a true Copie examin'd
& attested by

RIC: CHAMBERLAIN

Secretary of y^e Province of
New-Hampshire & Clerk of
His Ma^{ties} Councell there.

II. LEASE FROM THE COUNCIL OF NEW ENGLAND TO WOLLASTON.

APRIL 18, 1635.

IN the Records of the Council for New England, printed in the Proceedings of the American Antiquarian Society for April, 1867, appended to the record of the meeting, February 3, 1634-5, are three memoranda, the last two of which are:—

Memorand. the 18th day of Aprill following Leafes for 3000 years were made of the feveral divisions to feverall p^{ers}ons intrusted for their benefitts.

Memorand. the 22 day of Aprill feveral deeds of feofment were made unto the feveral proprietors of their feverall parts fo to them allotted by the Divisions aforefaid.²⁵⁵

The “deed of feofment” to Capt. John Mafon for his division was taken by him on the 22d of April, the date given in the memorandum. On the fame day an indenture
of

²⁵⁵ *Proceedings of the American Antiquarian Society*, April, 1867, p. 118.

of bargain and sale was issued to him. Both instruments are printed in this volume.⁸⁵⁶ The lease for three thousand years named in the previous memorandum had been issued for Mason's division four days before, on the day specified, April 18, 1635, to John Wollaston, afterwards Sir John Wollaston, a brother-in-law of Capt. Mason. Having been taken in trust for the benefit of Mason, the property was conveyed to him by Wollaston, June 11, 1635. Copies of these two deeds are found in the manuscript volume loaned to Mr. Sargent. I have not heard of other copies in this country.⁸⁵⁷ Mr. Sargent has had the kindness to transcribe them for me, and they are here printed from his manuscript. The proofs of the two deeds having been shown to Abner C. Goodell, Jr., A.M., he has furnished me the following remarks upon the deeds:—

The motive which induced the Council of Plymouth to demise for a long term the territory apportioned under the vote of February 3, 1634-5, is not clearly apparent. It may have been thought a wise precaution thus to convey to persons who should appear, in the deeds, not to be members of the Corporation, and interested as lessors in any degree, however remote; or it may have been the intention of all parties that the lessees should take immediate actual possession of the leased territory, — since until actual seisin were had the leases would be of no effect, and would be wholly avoided by the act of surrender. The deeds of conveyance from the Council to Mason were not made until April 22, four days subsequent to the date of the lease.

Nothing

⁸⁵⁶ *Ante*, pp. 209-215.

⁸⁵⁷ Copies of both instruments are preserved in the British State Paper Office, and brief abstracts were printed by Mr. W. Noël Sainsbury in the *Calendar of State Papers, Colonial*, edited

by him, Vol. I. (1860), pp. 202 and 209. Mr. Tuttle, who saw these abstracts, requested Col. Chester to examine the documents themselves. He did so, and in his letter, April 29, 1871, to Mr. Tuttle, reported to him their purport.

Nothing appears on the face of the indenture to Wollaston to indicate that he took the lease in trust for his brother-in-law Mason, though the express declaration of that fact in the indenture of assignment from Wollaston to Mason is corroborated by the memorandum in the Records of the Council, that the leases were to be made "to several persons in trust for their [*i.e.*, the proprietors of the several parcels in the general division] benefitts." It is to be observed that whatever rights of possession Wollaston secured under his lease, his assignment to Mason was not made until June 11, 1635, or four days after the surrender to the Crown was completed, and when it was too late for an original effectual entry upon the demised premises.

The lease for three thousand years is as follows: —

THIS INDENTURE made the Eighteenth day of Aprill in the Eleaventh year of the Reigne of Our Sovereign Lord Charles by the Grace of God King of England Scotland France and Ireland Defender of the ffaith &c. Between the Councill established at Plymouth in the County of Devon for the planting ruling ordering and governing of New England in America of the One part and Iohn Woollaston Cittizen and Goldsmith of London of the other part Witnesseeth That whereas Our late Sovereign Lord King Iames of blessed memory by his Highness Letters Patents under the Great Seal of England bearing date at Westminster the Third day of November in the Eighteenth year of his Highness Reign over the Realm of England for the considerations in the said Letters patents Expressed, hath absolutely Given Granted and confirmed unto the said Councill and their Successors for ever All the Land of New England in America lying and being in Breadth from ffourty Degrees of Northerly Latitude from the Equinoctiall Line to ffourty Eight Degrees of the said Northerly Latitude inclusively and in Length of and within all the Breadth aforesaid from Sea to Sea Together also with all the firm Lands Soyls Grounds Havons ports Rivers Waters ffishings Mines Mineralls aswell Royall Mines of Gold
and

and Silver as other Mines and Minerals Precious Stones Quarries and all and Singular other Commodities Iurifdictions Royalties Privileges franchises and Preeminences both within the said Tract of Land upon the Main and also within the Islands adjoining as by the said Letters patents amongst diverse other things therein contained more at large it doth and may appear Now this Indenture further witnesseth That the said Council in performance of an agreement by and between them made and Enacted the third day of february last past before the date of these Presents and also for diverse other good causes and considerations them the said Council hereunto especially moving, Have demised granted and to farm letten And by these Presents doe demise grant and to farm lett unto the said Iohn Woolaston his Executors and Assignes All that part purpart and portion of the Main Land in New England aforesaid begining from the Middle part of Naumkeck River and from thence to proceed Eastwards along the Seacoast to Cape Anne and round about the same to Pascataway Harbour and soe forwards up within the River of Newichewanock and to the furthest head of the said River and from thence Northwestard till Sixty miles be finished from the first Entrance of Pascataway Harbour And also from Naumkeck through the River therof up into the Land West Sixty miles from which period to cross overland to the Sixty miles End accompted from Pascataway through Newichewanock River to the Land Northwestward aforesaid. And also all that the South half of the Isles of Shoals Together with all other Islands and Isles aswell imbayed as within five Leagues distance from the premises or abutting upon the same or any part therof not otherwise granted to any by Speciall name And together also with all the Woods Underwoods and Trees now standing growing and being or which shall or may Stand grow or be upon the said demised premises or any part or parcell therof which portion of Land and premises are from henceforth to be called by the Name of Newhampshire. And also the said Council for the Considerations aforesaid have demised granted and to farm letten and by these presents doe demise Grant and to farm lett unto the said
Iohn

John Woollaston his Executors and Assignes All that other parcell of Land Woods and Woodgrounds lying on the South East part of the River of Sagadahock in the Northeast part of New England aforesaid att the mouth or the Entrance therof containing and to contain Tenn Thousand Acres together also with all the Woods Underwoods and Trees of the same which other parcell of Land and Woodground shall from henceforth be called by the Name of Mafonia And also the said Councill for the considerations aforesaid have demised granted and to ffarme letten And by these presents doe demise Grant and to ffarm lett unto the said John Wollaston his Executors & Assignes together with the said Lands Islands and premises All the Soyles Grounds Havons Ports Rivers waters ffishings Mines and Mineralls aswell Royall Mines of Gold and Silver as other Mines and Minerals precious Stones Quarreys and all and Singular other Commodities Jurisdictions Royalties Privileges ffranchises and preheminences both within the said Tracts of Land upon the Main and also within the said Islands or any the said demised premises. And together also with all Rents reserved upon the premises or any part or parcell therof Perquisites and profits of Courts Deodands Waives and Straies Goods of ffelons and fugitives Escheats and all other casuall profits whatsoever arising or which may hereafter arise out of the said demised premises or out of any part or parcell therof Saving Excepting and reserving only out of this present Demise or Grant The ffifth part of all the Gold and Silver Oare due to his Majesty his Heyres and Successors and in and by the said recited Letters patents reserved To have hold and Enjoy all and Singular the said Lands Islands and all other the said demised premises with their and every of their appurtenances unto the said John Wollaston his Executors and Assignes from the day of the date hereof unto the full end and Terme of Three Thousand years from thenceforth next and immediately Ensuing and fully to be compleate and Ended without impeachment of any manner of Wast and also with full power to doe and committ all manner of Wast either in the felling felling or cutting of any Timber Trees Woods and Underwoods or in the new opening or digging of any Mines of Gold and
Silver

Silver or other Mines whatsoever And also with full power licence and authority to Sell fell cutt downe carry away and dispose off to his and their owne proper use and behoof att his and their free will and pleasure all and Singular the said Woods Underwoods and Trees and also to digg and carry away or otherwise dispose of all or any the Soile Mines precious Stones & Quarries and to convert and imploy or otherwise Enjoy the Same as fully freely and in as large ample and beneficial manner to all intents and purposes as they the said Councill or any of them by virtue of the said recited Letters patents may might or ought to have hold and Enjoy the same yeelding and paying therefore yearly during the said Terme One pepper Corne if it be lawfully demanded In Wittness whereof to the One part of this present Indenture remaining in the hands of the said Ionn Wollaston they the said Councill have fixed their Common Seal To the other part of this present Indenture remaining in the hands of the said Councill the said Iohn Wollaston hath Sett his hand and Seal dated the day and year first above written Annoq. Dom. 1635 —

This is a true Coppy and Examined

by the originall Deed /

RIC: CHAMBERLAYN

JOS: RAYNE

III. DEED OF WOLLASTON TO MASON.

JUNE 11, 1635.

THIS INDENTURE made the Eleaventh Day of Iune in the Eleaventh year of the Reign of Our Sovereign Lord Charles by the Grace of God King of England Scotland ffrence and Ireland Defender of the ffaith &c. Between Iohn Wollaston Cityzen and Goldsmith of London of the One part and Captain Iohn Mason Esq' of the other part Witnesseth That whereas the Councill of New England by their Indenture

Indenture under their Common Seal bearing date the Eighteenth day of Aprill last past before the date hereof made between the said Councill by the name of the Councill established at Plimouth in the County of Devoñ for the planting ordering ruling and governing of New England in America of the One part and the said Iohn Wollaston by the Name of Iohn Wollaston Cityzen and Goldsmith of London of the other part ffor the considerations in the same Indenture contained have demised granted and to farm letten unto the said Iohn Wollaston his Executors and Assignes All that part purpart and portion of the Main land of New England aforefaid begining from the midle part of Naumkeck River and from thence to proceed Eastwards along the Sea coast to Cape Ann and round about the same to Pascataway Harbour and soe forwards up within the River of Newichewanock and to the farthest head of the said River and from thence Northwestwards till Sixty miles be finished from the first Entrance of Pascataway Harbour and also from Naumkeck through the River therof up into the Land West Sixty miles from which period to cross over land to the Sixty miles end accounted from Pascataway through Newichewanock River to the Land Northwestwards aforefaid And also All that South half of the Isles of Shoals together with all other Isles and Islets aswell imbayed as within ffive Leagues distance from the premises and abutting upon the same or any part or parcell therof not otherwise granted to any by Speciall name And together also with all woods underwoods and trees now standing growing and being or which hereafter shall or may stand grow or be in and upon the said portion of Lands and other the premises All which part and portion of Lands Isles and premises are frō thenceforth to be called by the Name of Newhampshire AND whereas also the said Councill for the considerations aforefaid have demised granted and to farm letten unto the said Iohn Wollaston his Executors and Assignes All that other parcell or portion of Lands woods and woodgrounds lying on the Southeast part of the River of Sagadahock in New England aforefaid at the mouth or Entrance thereof containing and to contain there Tenn Thoufand Acres together

gether also with all the woods underwoods and Trees of the same which said other parcell of Lands from thenceforth is to be called by the Name of Masonia And whereas moreover the said Council for the considerations aforesaid have demised granted and to farm letten unto the said John Wollaston his Executors and Assignes together with the said Lands Ilands and premises All the Soiles Grounds Havens Ports Rivers Waters fishings Mines and Mineralls aswell Royall Mines of Gold and Silver as other Mines and Minerals Precious Stones Quarries and all and singular other Commodities Juridictions Royalties Privileges franchises and Preheminences both within the said Tracts of Land upon the Main and also within the said Ilands or any the said demised premises And also all Rents reserved upon the premises or any part or parcell thereof Perquisites and Profits of Courts Deodands Waives and Straies Goods of felons and fugitives Escheats and all other casuall profits whatsoever arising or which may hereafter arise out of the said demised premises or out of any part or parcell thereof under such Reservations as in the said Lease are Excepted and Reserved To have and to hold and Enjoy all and singular the said Lands Ilands and all other the said demised premises with their and every of their Appurtenances unto the said Iohn Wollaston his Executors and Assignes from the day of the date of the said Indenture of Demise unto the full end and Term of Three Thousand years from thenceforth next and immediately ensuing and fully to be compleate and ended without impeachment of any manner of waft for and under the yearly Rent of one pepper Corn payable if it be lawfully demanded as in and by the said Indenture of Demise more at large it doth and may appear Which said Indenture of Demise was made unto the said Iohn Wollaston by and with the consent of the said Captain Iohn Mason in trust only for the benefit and behoof of him the said Captain Iohn Mason his Executors and Assignes Now therefore this Indenture further Witneffeth That the said John Wollaston in performance of the Trust in him reposed and also for diverse other good causes and considerations him hereunto especially moving hath granted assigned sett over and confirmed

and by these presents doth grant assigne sett over and confirme unto the said Captain Iohn Mason his Executors and Assignes All that the said part purpart and portion of Lands called Newhampshire and all and singular other the said demised premises with their and every of their appurtenances in the said Indenture contained Together with the said recited Indenture of Demise and all the Right Title interest terme of years claim and demand of him the said John Wollaston of in and to the same or any part or parcell therof and all the benefitt profit advantage and commodity whatsoever which shall or may be had by the same To have hold and Enjoy the said part purpart and portion of Lands called Newhampshire and all and singular other the said premises with their and every of their appurtenances and also all the right title and interest of the said John Wollaston of in and to the same or any part or parcell therof unto the said Captain John Mason his Executors and Assignes from the Day of the Date of these presents for and during all the residue of the Term of Three Thousand years yet to come and unexpired in the same ffor and under the Reservations of Rents in the said recited Indenture contained as fully freely and is as large ample and beneficiall manner and form to all intents and purposes whatsoever as he the said John Wollaston his Executors and Assignes or any of them may might or ought to have hold and Enjoy the same by virtue of the recited Indenture of Demise or otherwise In Wittness whereof the said parties to these present Indentures interchangeably have sett their hands and Seals the Day and year first above written/

IV. DEED FROM GORGES TO MASON.

SEPTEMBER 17, 1635.

IN the Statement of Allen's Title, 1728, p. 3, an abstract of this deed is printed. A full copy is found in Mr. Sargent's manuscript volume. I know of no other copy. Mr. Sargent has printed it in his Introduction to the second volume of "York Deeds," and by his permission I reprint it below.

THIS INDENTURE made the Seaventeenth day of September Anno Domini 1635 and in the Eleaventh yeare of the Reigne of Our Sovereigne Lord Charles by the Grace of God King of England Scotland France and Ireland Defender of the ffaith &c Between Sir fferdinando Gorges of London knight on the One part and Captain Iohn Maſon of London Eſquire on the other part Wittneſſeth That whereas our late Sovereign Lord King Iames of Bleſſed memory by his highneſſ Letters patents under the Great Seal of England bearing date at Weſtminſter the Third day of November in the Eighteenth Yeare of his highneſſ reigne over the Realme of England ffor the conſiderations in the ſame Letters patents expreſſed hath abſolutely given granted and confirmed unto the Councill eſtabliſhed at Plimouth in the County of Devoſh ffor the planting ruling ordering and governing of New England in America and to their Succeſſors and aſſignes for ever All the Land of New England aforeſaid lying and being in breadth from ffourty Degrees to ffourty Eight Degrees Northerly Latitude incluſively Together with all firm lands Soyles grounds havons ports rivers waters fiſhings hunting hawking fflowling and all mines and minerals aſwell Royall mines of Gold and Silver as other mines & minerals and all and Singular other commodities Jurifdictions Royalties

Royalties priviledges and preheminences as by the said Letters patents amongst diverse other things therein contained more at large it doth and may appeare And whereas the said Councill by their Indenture under their Common Seal bearing date the Two and Twentieth day of Aprill last past before the date hierof made between the said Councill by the name of the Councill established at plimouth in the County of Devon ffor the planting ruling ordering and governing of New England in America of the One part and the said Sir fferdinando Gorges of London knight on the other part ffor the considerations in the Same Indenture contained have given granted aliened bargained sold Enfeoffed and confirmed unto the said Sir fferdinando Gorges his heyres and assignes for ever All that part purpart or portion of the main land of New England aforesaid begining at the Entrance of pascataway harbour and soe to pass up the same into the river of Newichewanock and through the same unto the ffurthest head thereof and from thence Northwestwards till Sixty miles be finished And from pascataway harbour aforesaid Northeastwards along the Sea coast to Sagadahock and up the river thereof to the river of Kenebeck and through the Same unto the head thereof and soe up into the land Northwestwards untill Sixty miles be finished ffrom the mouth or Entrance of Sagadahock ffrom which period to cross over land to the Sixty miles End formerly accompted up into the Land ffrom pascataway harbour through Newichewanock River (which amongst other Lands are granted unto the said Sir fferdinando Gorges) Together with all mines and minerals aswell royall mines of Gold and Silver as other mines and minerals precious Stones Woods marishes rivers waters ffishings hawking hunting and fflowing and all other Royalties Jurisdiccions privileges preheminences profits and commodities whatsoever with all and Singular their appurtenances with all other privileges liberties and immunities which shall or may arise within the said Limits and precincts aforesaid as by the Said Indenture more at large it doth appeare Now therefore this Indenture ffurther Wittneffeth That the Said Sir fferdinando Gorges
for

for diverse good causes and considerations him hereunto especially moving hath granted aliened bargained Sold enfeoffed and confirmed and by these presents doth grant alien bargain Sell Enfeoffe and confirme unto the Said Captain Iohn Mason his heyres and assignes All that part or portion of land begining at the Entrance of Newichewanock river and Soe upwards alongft the Said river and to the furthest head thereof and to containe in breadth through all the length aforesaid Three miles within the land from every part of the said River and half way over the said river Together with all and Singular harbours creekes marishes woods rivers waters lakes mines and minerals aswell royal mines of Gold & Silver as other mines and minerals precious Stones fishings hawking and fflowing and all other royalties Jurisdiccions privileges preheminences profits commodities and hereditaments whatsoever with all and Singular their and every of their appurtenances with all other privileges liberties immunities escheats and casualties thereof which shall or may arise within the Limits and precincts aforesaid To be holden of his Majesty his heyres and Successors as of his highness Mannor of East Greenwich in the County of Kent in free and Common Soccage and not in Capite or by knights Service yeelding and paying to his Majesty his heyres and Successors the fifth part of the Oare of Gold and Silver that from time to time and at all times hereafter shalbe there gotten had and obtained for all services duties and demands as in and by the said recited Letters patents are reserved To have and to hold all the said part or portion of Land and all other the said bargained premises with their and every of their appurtenances unto the said Captain Iohn Mason his heyres and assignes To the onely and proper use and behoof of him the said Captain Iohn Mason his heyres and assignes for ever And to be enjoyed as fully freely and in as large ample and beneficiall manner and forme to all intents and purposes whatsoever as he the said Sir Ferdinando Gorges by virtue of the said recited Indenture might or ought to have hold and enjoy the same or any part thereof In Wittness whereof the said parties to these present Indentures interchangeably

changeably have Sett their hands and Seals the Day and Yeare ffirft
above written

FFERD. GORGES.

Sealed and Delivered in the prefence of

MATHEW BRADLEY

ROGER BEAL

IOHN MOOR/ *Scr.*

This is a true Copie

EDW CRANFIELD

B: SARGEANT.

RICH: POVEY.





THE
WILL OF CAPTAIN JOHN MASON.



HE will of Capt. Mason is entered on the register of the Prerogative Court of Canterbury, in which court it was proved December 22, 1635. The records of this court are now kept at Somerset House, in the Strand, London. The original will from which the copy here printed was made, is also on file there. There have been in New England at least two official copies of the document issued by the Probate Office in London. One of these, on parchment, made for Mrs. Anne Mason, April 20, 1653, is now preserved in the office of the Massachusetts Secretary of State. It was probably used as evidence by Joseph Mason, the agent of Mrs. Mason, at the hearing of her case before the Massachusetts General Court in the summer of that year.³⁶⁸ The copy is certified to in these words: —

The Keepers of the Liberty of England by authoritie of Parliament,
To all Persons whatsoever to whom theis Letters Testimoniall shall
Come,

³⁶⁸ *Vide ante*, p. 94.

Come, Greeting. Whereas the Right Hon^{ble} the Judges appoynted by Act of Parliament for Probate of Wills and granting Administrations of all p^{er}sons deceasing within Commonwealth of England vpon search made in the Registrie in the late Court of Prerogative in tymes past styled, The Prerogative Court of Canterburie, for Wills there proved have found ; That the two and twentyeth day of December One thousand six hundred thirty five att London before the Worshipfull William Clerk, Doctor of Lawes and Surrogat of S^r Henry Martin, Kn^t D^octor of Lawes and Master or Keeper of the Prerogative Court of Canterburie, the last Will and Testament of Captaine Iohn Mafon, of the Cittie of Westminster, deceased, was proved, approved, and insinuated, and Administrat^{ion} of his estate concerning his Will was granted to Ann Mafon, Relict and Executrix of the sayd Will, she being first sworne to pforme the same well and truly, and to exhibit a true Inventorie of his estate into the then Court, The tenor of which Will and Probate are as followeth, vizt.

Then follow the will and probate. The certificate closes :—

In testimonie of the truth hereof att the humble suit of the sayd Ann Mafon, Wee have hereunto caused the Seale of Office for the Probate of Wills and Granting of Administrat^{ions} to be affixed the twentyeth day of Aprill in the Yeare of Our Lord, One thousand six hundred fiftie three.

MARKE COTTLE.

TRACY PAUNCEFOTE. *Reg^r*.⁸⁸⁰

The

⁸⁸⁰ Mr. J. C. C. Smith, of London, England, Superintendent of the Literary Department of the Probate Registry, Somerset House, writes to me: "Both Mark Cottle and Tracy Pauncefote were *Registers* (as it was spelt until 1858) of the 'Commissioners for Pro-

bate of Wills,' who during the Commonwealth superseded the Prerogative and all other Testamentary Courts; or more probably they were Deputy Registers. Mark Cottle occasionally signs so. The Register was usually a *financier* and absentee, and his deputies were

The other official copy was signed by "Thomas Welham, Reg^r Deputy," date unknown, and was used in the case of Waldron *vs.* Allen. In the office of the Clerk of the Supreme Court of New Hampshire at Exeter, New Hampshire, two copies of this official copy are found in a file of papers labelled "Allen *v.* Waldron, 1707-8." One of these copies is from the Inferior Court of Common Pleas, and is attested by Henry Penny, Clerk of that Court; and the other is from the Superior Court, and is attested by Theodore Atkinson, clerk of the latter court.³⁰⁰ The New England Historic Genealogical Society has a copy, made August, 1700, attested by Richard Partridge, Notary Public, which was presented to the Society by the Hon. Francis Brinley.

Since the account of the family of Capt. John Mason was printed,³⁰¹ Mr. Henry F. Waters has furnished me with the following pedigree which carries back the ancestry of Mason three generations farther than that furnished to Mr. Tuttle by the late Col. Joseph L. Chester.³⁰² Col. Chester's conjecture that Capt. Mason was of humble origin, is not supported by facts since discovered. The earliest known ancestor of this family, it seems, was a native of Lancashire.

BALDWIN

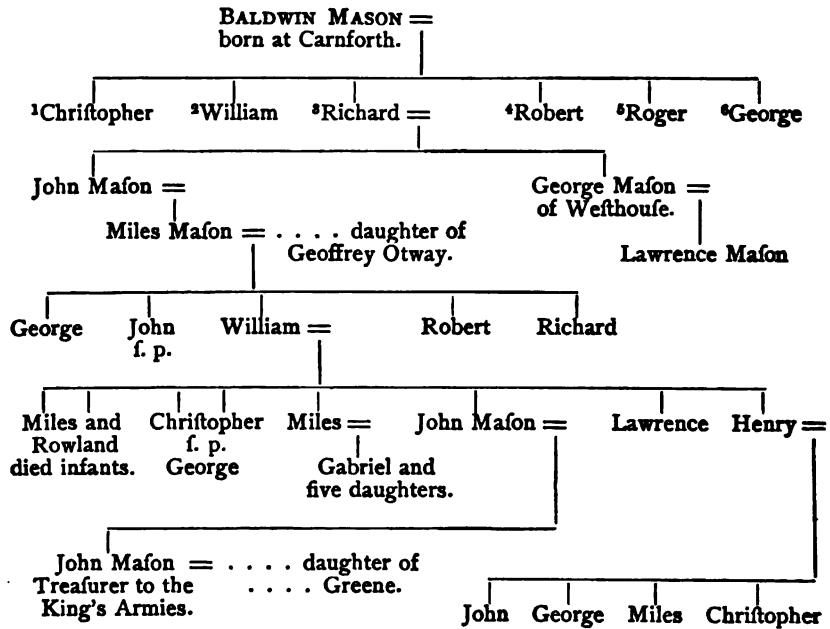
were called 'Registers' in many instances down to modern times. Both of the above gentlemen were of good family. The former will be found in the pedigree of Cottell of Devonshire, and Tracy Pauncefote in the Paunce-

fote pedigree in *Visitation of Lonsdon*, 1633-5."

³⁰⁰ Manuscript letter of the Hon. Charles H. Bell, LL.D.

³⁰¹ *Ante*, pp. 33-43.

³⁰² *Ante*, p. 42.



Mr. Waters found the above pedigree in the British Museum, Add. MS. 5533, which contains, first, "Arms and Pedigrees of London Families," and second, "The Visitation of Surrey, 1662." This pedigree is on page 212. On page 9 (in pencil, 13) may be found a tricking of the arms of Capt. Mafon. In these arms the tincture of the field is not marked. The coat is "... a fefs A, in chief two lions' heads [couped] B, a mullet for difference Or."⁸⁸⁸ *Crest*, a lion's head B

⁸⁸⁸ George W. Marshall, LL.D., F.S.A., of London, who furnished me with this blazon, writes: "I take it that the A on the fefs should have been written on the field, and that the fefs should be B,

which makes the coat tally with that in Harleian MS. 1086. It is an evident error of the man who did the tricking." This correction makes the coat agree also with the tricking found by Col. Chester

B between two wings A, charged with a mullet for difference." Underneath is written:—

Entered in the Visitation Book of London an^o 1634 for Capt^a John Mason Treasurer of the Army To K. Charles

S^r JOHN BOROUGH, *Garter*

HEN. S^r GEORGE, *Richmond.*

In Harleian MS. 1086, fo. 19^b, appear the arms of "Robert Tufton *als.* Mason, whose grandfather was 2 brother to y^e Lord Tufton." The coat is: Quarterly 1 and 4. Arg. on a pale Sable an Eagle displayed of the field, a crescent for difference. 2. Arg. a fess and in chief two lions' heads, couped, Azure. 3. Azure 3 bucks trippant Or, a mullet for difference. Crest of Tufton, the sea lion sejant, is also given.

Col. Chester conjectured, from not finding the name of John Mason, the father of Capt. John Mason, at King's Lynn, after the birth of his daughter in 1589, that he removed from that place; but Mr. Waters has found his will at Somerset House, which shows that he died two years later. His widow may have removed. The following is an abstract of the will:—⁸⁸⁴

John Mason of King's Lynn, merchant, dated Jan. 7, 1591-2, proved March 9, 1591-2 (Harrington 23) wife Isabell; son John; "the childe my said wief is withall;" daughter Dorothie; my brothers' and sisters' children. Supervisors, Mr. Henrie Kidson, preacher, Mr. William

Chester in the Heralds' College, *vide ante*, p. 36, and that in the *Visitation of London, Harleian Society's Publications*, Vol. XVII. p. 85.

⁸⁸⁴ I am indebted to Mr. J. C. C. Smith, of London, for this abstract, and for other valuable assistance.

William Frann, George Gibson, John Junun (?), Christopher Trotter and Humphreie Farnebie. Wife Isabell, executrix (proves). Witeffes, John Gatefolde, John Collingewood, y^e younger, John Scott, John Wentworthe. He has considerable estate.

It seems from this will that Capt. John Mason was his father's only son when the will was made, so that it is evident that the mullet in the arms of the latter was not intended to show that he was the third son.³⁰⁵ It is highly probable that he inherited the arms.

It is stated in the preceding quotation from Harleian MS. 1086, that the grandfather of Robert Tufton, alias Mason, was the second brother of Lord Tufton. I have failed to find evidence confirmatory of this. It is not improbable that Sir Nicholas Tufton, created November 1, 1626, Lord Tufton of Tufton in Essex, and August 5, 1628, Earl of Thanet, may have been a relative of John Tufton of Peasmarsh, the father of Joseph and grandfather of Robert Tufton; but it is certainly improbable that he was a brother.

John Tufton, of Peasmarsh, gentleman, was buried there, September 3, 1591. His will, dated August 20, 1591, was proved October 25, 1591 (St. Berbe, 74). He names —

One John Tufton of the parish of Witterham in the Isle of Oxney, Kent; Johane Tufton servant unto Mr. Waylott my uncle's daughter; servants Mary Gladwiffe and Robert Waterman; Mrs. Bridget Shepperd of the parish of Tenterden, my wife's sister; Mr. Robert Shepperd of Tenterden, my godson; Mr. Robert Sheppard of Tenterden, gent, my wife's brother; Alice Stevenfon of Tenterden, my
sister's

³⁰⁵ *Vide ante*, p. 36.

fifter's daughter ; Johane Sloman of Breade, fifter ; Mr. John Whitfield of Tenderden, my godfon ; my dau. Bridget Tufton ; ³⁸⁶ my fon and heir Ioseph Tufton ; if my wife Elizabeth be now with child ; Mrs. Agnes Shepperd of Tenderden my wife's mother. Witneffes, John Peck, William Burdyt, John Sere, Robert Morfort.

The following is an abftract of the will of Ioseph Tufton, the father of Robert Tufton alias Mafon : —

Ioseph Tufton of Eaft Greenwich, Kent, Efquire, 14 November 1653, proved 29 March 1654, nuncupative. (Alchin 385) Wife Anne and children. Reference is made to the fum of one thoufand pounds "that was put into father Mafon's hands." Mother Mafon named. Jane Lambert and Florence Tufton, witneffes.³⁸⁷

The following is a copy of the will of Capt. John Mafon, tranfcribed from the original on file in the Prerogative Court of Canterbury, Somerfet Houfe, London.

WILL.

Ŧ. Johannis Mafon Aŕ.

IN the name of God Amen. I Captaine John Mafon of London Efq^r beinge ficke in bodie but of perfect mynde and memorie (laud and praife be therefore given to Almightye God) doe make and declare this my prefent laft will and Testament in manner and forme followeing that is to faie firft and principally I Comēd my foule into the handes of Almightye god my maker hopeing and affuredlie beleeeving that by and through the merritte of the moft pretious death and paffion of my lord and faviour Iefus Chrift I fhallbe faved and

³⁸⁶ Among the baptifms on the Peaf-marsh Register is this entry: "1590, June 7 Bridget daughter of Mr. John Tufton."

³⁸⁷ I am indebted to Mr. Henry F. Waters for this abftract of Ioseph Tufton's will, and for references to other wills and to trickings of arms.

and have full and free pardon and remission of all my finnes and enioy everlasting life in y^e Kingdome of heaven amongst the elect Children of God My body I comitt to the Earth from whence it came to be buryed in the Collegiate church of St. Peter in Westminster without any funerall pompe or ceremonie AND as concerning all and singuler the goodes chattells debts and personall estate wch it hath pleased God of his mercy to blesse me withall in this life (after my debts shalbe paid and my funerall charges discharged) I give devise and bequeath the same vnto such person and persons in such manner and forme and vnder such provisos conditions and lymittacons as are hereafter expressed that is to say INPRIMIS I give and bequeath vnto ffive poore people of the Towne or parrishe of Portsmouth in the county of South the some of ffive pounds to be distributed according to the discrecons of the Churchwardens of the said towne or parrishe for the tyme being and to be paid by my executrix vnto the said Churchwardens of the said towne or parrishe within One yeare nexte after my decease The said churchwardens within one yeare next after the receipte of the said legacie giving vnto my executrix an honest and iust accompt of the distribucon of the said legacie to the vse of the said poore people. Item I giue vnto my sister Dorothie More (in case she shalbe in want) for and during the terme of her naturall life the yearlie some of Tenn poundes of lawfull money of England to be paid vnto her or her assignes Att two vsuall feasts or halfe yearlie payments in the yeare by even and equall porcons And I give vnto everie of the children of my said sister Dorothie More Sixe poundes a peece of lawfull money of England. Item I give vnto Bettrice Baldwyn the some of ffive poundes. Item I give and bequeath vnto my brothers in lawe M^r Josua Greene and his wife M^r Edward Lambert and his wife, M^r Henrie Burton and his wife, M^r John Wollaston and his wife, and to my lovinge cozens Docto^r Robert Mafon of Greenewich and his wife and mother. To my Cozens M^r Thomas Geere and his wife To my cofen Thomas Mafon gentleman, and to my cozens M^r Thomas Gippes and his wife to everie of them ffiftie shillinges a peece

peece to make them ringes to weare in the remembraunce of me. All the rest and residue of all and singuler my goodes Chattells ready money debts and personall estate whatsoever and wheresoever (after my debts shalbe paid and my legacies and funerall charges discharged) I will that my wife shall haue the use thereof and of eu'ie part thereof and shall receave have and enioy to her owne proper vse all the increase proffitt and benefitt that shalbe made thereby for and during the terme of her naturall life, And from and imediatlie after the decease of my said wife then I give devise and bequeath the said rest and residue of all and singuler my goodes chattelles ready money debts and psonall whatsoever vnto my foure grandchildren John Tufton Anne Tufton Robert Tufton and Mary Tufton to be equallie devided amongst them part and part like And to be paid to the men children at their severall ages of One and twenty yeres and to the women children at their ages of One and twenty yeares or dayes of marriage (which shall first happen) And if any of them dye in their minority Then the part or porcion of him her or them so dying shalbe pted and divided vnto and amongst the survivo^r and survivo^r of my said foure grandchildren respectively And my will and mynd is and I doe hereby devise and appoint that in case my said wife Anne Mason shall dye and depart this mortall life before all my said foure grandchildren shalbe capeable to receaue haue hold and enioy the severall legacies and bequestes before in this my will given and bequeathed vnto them and to hold and enioy the lands and teñts hereafter in this my will by me given and bequeathed vnto them or to them and their heires respectively That then and in such case my loving brother in lawe John Wollaston shall receave the parts and porçons of such of my said foure grandchildren as shalbe then in their minority and take possession of such land as I shall in this my will give devise and bequeath vnto them and shall imploy the same for the benefitt and maintaynaunce of my said grandchildren and shall pay the same to them respectively as they shall attaine to their ages of One and twenty yeares or dayes of marriage as aforefaid And I doe hereby make and ordaine the said John Wollaston (after the
decease

decease of my said wife) sole guardian of and for my said grandchildren or such of them as shalbe in their minority at the time of the decease of my said wife And in case my said wife and my said brother in law John Wollaſton ſhall both dye and depart this mortall life before my said grandchildren ſhalbe capeable to have and receive their porçons as aforeſaid and to enioy ſuch land as hereafter in this my will is by me given and bequeathed vnto them reſpectively Then I leave the educaçon and bringing vpp of ſuch of my said grandchildren as ſhalbe in their minority and the receaving having and poſſeſſing of ſuch lands tents legacies and bequeſts as I have and ſhall give them by this my will vnto ſuch perſon or perſons as my said brother in lawe John Wollaſton ſhall in his life time noiate and appoint for that purpoſe and to no other pſon or pſons whatſoever And I doe hereby charge my said grandchildren and everie of them to make choice of and accept of my said brother in lawe and ſuch pſon or pſons as he ſhall appoint and none other whatſoever to be guardian and guardians for them after the deceaſe of my said wife And I doe hereby make name and ordaine my said loving wife Anne Maſon the full and ſole executrix of this my laſt will and teſtament deſireing her to performe y^e ſame in all thinges according to my true intent and meaning And I doe hereby conſtitute and appoint my said loving brother in lawe John Wollaſton the Overſeer of this my laſt will and teſtament entreating him to be aydeing and aſſiſting vnto my said executrix in the execuçon thereof and in token of thankfulnes for his love to me I doe hereby give and bequeath vnto him my Coach and two Coach horſes with the furniture to them belonginge Nowe as concerning the diſpoſiçon of all and ſinguler my Mannors Meſſuages lands teſſits and hereditam^{ts} wth their and eu'y of their rights members and appurteſſincs aſwell wth in the Realme of England as elſewhere I give deviſe and bequeath the ſame and eu'y of them to ſuch pſon and pſons vpon ſuch truſts and confidences to ſuch vſes intents and purpoſes and vnder ſuch proviſoes condiçions and limittaçons as are hereafter expreſſed that is to ſaie firſt I give deviſe and bequeath vnto the Maio' and Coialty and Corporaçon of the towne of Kingslyn in the Countie

Countie of Norffolke where I was borne by what name title or addiçon foever the said towne or Corporaçon is have bin or shalbe called knowne or incorporated and to their succeffors for ever (vnder the Provifoe or condiçon nevertheles hereafter expreffed) Two thousand acres of land in my County of Newhampshire or Mannor of Maſon hall in New England and which by my executrix and overſeer aforeſaid ſhalbe thought moſt fitt And the reverçon & reverçons remainder and remainders of the ſame Two Thouſand acres of land and every part thereof To have & to holde the ſame and every part thereof vnto the ſaid Maio' and Coĩalty and Corporaçon of the ſaid towne of Kingſlyn and their ſucceffors for ever for and vnder the yearelie rent of One penny of lawfull money of England to be paid to my heires (if it ſhalbe demaunded) and alſo allowing vnto my heires for ever Two fift parts of all ſuch mynes royall as ſhalbe at any time after my deceaſe found in & vpon the ſame land or any part thereof Provided alwayes and my will and mynd is and I doe hereby deviſe and appoint that the ſaid Maio' and Coĩalty their ſucceffors or aſſignes ſhall within five yeares next after my deceaſe plant and ſett vpon the ſaid two thouſand acres of land five familis of people at leaſt to plant vpon the ſame And that the cleere yearlie proffitt that ſhalbe made of or vpon the ſaid two-thouſand acres of land ſhalbe yearlie for ever diſtributed and diſpoſed of towardses the maintenaunce and releefe of the poore people of the ſaid towne at the diſcreçon of the Maio' and Aldermen or cheefeſt governors of the ſaid towne for the tyme being And I will that my ſaid wife Anne Maſon ſhall at the requelt coſts and charges in the lawe of the ſaid Maior & Coĩalty their ſucceffors or aſſignes lawfully and ſufficiently convey releaſe and aſſure vnto the ſaid Maior and Coĩalty and their ſucceffors for ever all her right eſtate dower title of dower and interreſt of and in the ſaid Two thouſand acres of land and that by ſuch lawfull wayes and meanes as by the ſaid Maio' and Coĩalty or their ſucceffors or by their Councell learned in the lawe ſhalbe reaſonably deviſed or adviſed and required. Item I give deviſe and bequeath vnto my loving brother in lawe John Wollaſton and to his heires and aſſignes for ever to be holden of my heirs in

fee farme Three thousand acres of land wth thappurteñncs in my County of Newhampshire or Mannor of Mafon hall aforeſaid where my ſaid brother and executrix ſhall thinke fitt And y^e reverſion and reverſions remaynder and remainders rents and yearlie proffitts whatſoever of the ſame three thousand acres of land and everie or any part thereof to have and to holde the ſame and everie part thereof vnto the ſaid John Wollaſton his heires and assignes for ever To be holden of my heires for ever in fee farme paying only Twelve pence of lawfull money of England per Annū to my heires when the ſame ſhalbe demanded of the ſaid John Wollaſton his heires or assignes and alſoe allowing to my heires two fifte parts of all ſuch mynes royall as ſhalbe at anie tyme after my deceaſe found in and vpon the ſame land or any part thereof. And I will that my ſaid wife Anne Maſon ſhall at the requelt coſts and charges in the lawe of the ſaid John Wollaſton his heires or assignes in due forme of lawe convey releaſe and aſſure vnto the ſaid John Wollaſton his heires and assignes All her right title dower interreſt clayme and demaund of in and vnto the ſaid Three Thouſand acres of land with the appurteñncs and of in and vnto every or anie part thereof by ſuch conveyance wayes and meanes as by the ſaid John Wollaſton and his heires or assignes or his or their Councell learned in the lawe ſhalbe reaſonably deviſed or adviſed and required. Item I give deviſe and bequeath vnto my grandchild Anne Tuſton and to her heires and assignes for ever (vnder the proviſoes and conditions nevertheles hereafter expreſſed) All thoſe my landes tenements and hereditaments wth the appurteñncs lying and being at Capeham of Wagen vpon the ſouth eaſt ſide of Sagada Hocke in newe England aforeſaid called Maſonia and conteyning by eſtimaçon Tenn Thouſand acres or thereabouts be the ſame more or leſſe And the reverſion and reverſions remainder & remainders rents and yearlie and other proffitts whatſoever of the ſame landes and premiſſes To have and to hold the ſaid landes and premiſſes and everie part thereof with thappurteñnce vnto the ſaid Anne Tuſton my grandchild and to her heires and assignes for ever. Provided alwayes and my Will mynd and meaning is and I doe hereby

hereby devise and appoint That my wife shall hold and enioy the said Ten Thousand acres of land and everie part thereof and receave take and enioy to her owne proper vse and behoofe all the rents issues and proffitts of the same and of everie part thereof vntill my said grandchild Anne Tufton shall attayne to the age of One and Twenty yeares or day of marriage which shall first happen (if my said wife shall so long live) Item I give devise and bequeath vnto my grandchild Robert Tufton and to his heires and assignes for ever (vnder the provisoes and condiçons neu'theles hereafter expressed) All that my Mannor of Mafonhall in New England aforefaid with all y^e lands teñts hereditaments rights members and appurtenances therevnto belonging (except such part of the land therevnto belonging as is before bequeathed by this my will) and the revercion and revercions remaynder and remainders rents and yearly and other proffitts whatsoever of the same premisses To have and to holde the same and everie part thereof (except before excepted) vnto my said grandchild Robert Tufton and to his heires and assignes for ever Provided alwayes and vpon condiçon nevertheles and my true intent and meaning is that the said Anne my wife shall hold and enioy the said Mannor and premisses given to my said grandchild Robert Tufton as aforefaid and receave take and enioy to her owne proper vse the rents issues and proffitts thereof vntill my said grandchild Robert Tufton shall attayne to and accomplish his full age of One and twentie yeares (if my said wife shall so long live) Provided also and my further will mynd and meaning is and I doe hereby devise and appoint That my said grandchild Robert Tufton shall alter his surname and surname himselve Mason before he shalbe capeable to enioy the said Mannor and premisses according to this my will for that my true intent and meaning is that the said Mannor and p'misses shall continue in my name as now it doth and no otherwise Item I give devise and bequeath vnto my said brother in law John Wollaston his heires and assignes for ever (vpon the trusts and confidences and to the vses intents and purposes nevertheles hereafter expressed) Two Thousand acres of Land in my County of Newhamphire in
New

New England aforefaid where my faid brother and my executrix aforefaid fhall thinke fitt Vpon truſt and Confidence and to the uſe intent and purpoſe that my faid brother John Wollaſton or his heires and my faid wife Anne Maſon ſhall with all convenient ſpeed after my deceaſe at the charges of my eſtate in due forme of lawe ſettle and convey one Thouſand acres of the faid land to ſome ſfeoffees in truſt and to their heires for ever for and towards the mainteĩnce of an honeſt godlie and religious Preacher of gods word in ſome Church or Chappell or other publike place that ſhalbe appointed for divine worſhipp and ſervice within the faid County of Newhampſhire where my faid wife and brother ſhall thinke fitt (the faid ſfeoffees and their heires paying and allowing vnto my heires for ever the yearelie rent of One penny (if it be demaunded) and two fifte parts of all ſuch mynes royall as ſhalbe found in and vpon the faid One thouſand acres of land or any part thereof And One Thouſand acres more reſidue of the faid two thouſand acres of land I will ſhalbe ſetled or conveyed as aforefaid to ſome ſfeoffees in truſt and to their heires for ever for and towards the mainteĩnce of a free grammer ſchoole for the educaõ of youth in ſome Convenient place within my faid County of Newhampſhire where my faid wife and brother in lawe ſhall thinke fitt they alſo paying and allowing vnto my heires for ever the yearlie rent of One pennie (if yt be demaunded) and two fift parts of all ſuch mynes royall as ſhalbe found in and vpon the faid One Thouſand acres of land or any part thereof All the reſt and reſidue of all and ſinguler my mannors Meſſuages landes teĩts and hereditaments with their and eu'ie of their appurteĩncs lying and being within my faid County of Newhampſhire or elſwhere in New England aforefaid (not before bequeathed by this my Will) I give deviſe and bequeath the ſame and every part thereof and y^e reverõ and reverõs remaynder and remainders thereof and of every part thereof (vnder the proviſoes and condiõs nevertheles hereafter expreſſed) vnto my grandchild John Tuſton and to the heires of his body lawfullie to be begotten And for want of ſuch yſſue to the faid Robert Tuſton my grandchild and to the heires of his body lawfully
to

to be begotten And for want of such issue To my Cozen Doctor Robert Mason Chauncello' of the Dioces of Winchester and to the heires males of his body lawfully begotten or to be begotten And for want of such issue to my right heires and assignes for ever Provided allwayes nevertheles and my will mynd and meaning is That my said wife Anne Mason shall have hold and enioy the said Mannors Messuages lands and p'misses by me giuen to my said grandchild John Tufton as aforesaid and receave the rents issues and proffitts thereof and of eu'y part thereof to her owne proper vse and behoofe vntill my said grandchild John Tufton attaine to and accomplish his full age of One and twenty yeares (if the said Anne my wife shall so long live) Provided also and my further will mynd and meaning is and I doe hereby devise and appoint that my said grandchild John Tufton shall alter his surname and surname himselfe Mason before he shalbe capeable to enioy the said Mannoⁿ lands and p'misses or any part thereof according to my bequest for that my true intent and meaning is that the said Land shall not discend from the name of Mason but that my said grandchild and his heires shall enioy the same Land and p'misses in my owne surname and not otherwise Provided also and my Will and mynd is and I doe hereby devise and appoint That my said grandchild John Tufton or his heires shall well and truly paie or cause to be paid vnto my grandchild Mary Tufton his sister out of the said Mannoⁿ Messuages lands and teñts by me bequeathed vnto him as aforesaid the some of ffive Hondred Poundes of lawfull money of England for her better preferment and advauncement in marriage The same to be paid vnto her or her assignes within One yeare next after the daie of the marriage of the said Marie Tufton without fraud or Covyn Provided also and my further will mynd and meaning is and I doe hereby devise and appoynt That in case my said grandchildren John Tufton Anne Tufton Robert Tufton and Mary Tufton or any of them shall refuse or be vnwilling to take and accept of my aboue named brother in lawe John Wollaston or such person or persons as he shall appoint to be his or their guardian or guardians after the decease of my wife during

during their or any of their minoritys Or if in case my said foure grandchildren or any of them their or any of their heires executors adminiftrators or assignes or any of them shall att any time or tymes after my deceafe by any waies or meanes whatfoever sue vexe moleft trouble or profecute my executors or adminiftrators for the ſome of One Thouſand poundes of lawfull money of England which was heretofore depoſited in my handes by Joſeph Tufton their father or for any part thereof That then and from thenceforth in either of thoſe caſes the legacies and bequeſts by me given and bequeathed to ſuch of my foure grandchildren and to his or their heires as ſhall ſo offend contrary to my true meaning herein before declared ſhalbe voyd and of none effect as if the ſame had never beene expreſſed in this my will And that then alſo and in ſuch caſe I give deviſe and bequeath all and every the Meſſuages landes tenements hereditaments money goodes and chattells whatfoever before or hereafter in this my will given deviſed or bequeathed vnto ſuch of my grandchildren and their heires wth ſhall ſo diſobey my true meaning here in before declared vnto my loving cozen Docto^r Robt Maſon Chancello^r of the Dioces of Wincheſter and to his heires and assignes from thenceforth for ever ITEM I give deviſe and bequeath all and ſinguler my Meſſuages landes teſtits and hereditam^{ts} with their and eu^y of their appurteñcs lying and being within the Realme of England or elſwhere (not bequeathed by this my will) vnto my loving wife Anne Maſon and her assignes for and duringe the terme of her naturall life and after her deceafe to my aboue named brother in lawe John Wollaſton or his assignes for & during the Joint lives of my ſaid daughter Anne Tufton and her now huſband vpon truſt & confidence neu^{er}theles that the ſaid John Wollaſton and his assignes ſhall pay and diſburſe the rents and proffitts of the ſaid p^rmiſſes and eu^eie part thereof for and towards the proper maintenaunce ſtay of and liveinge of and for the ſaid Anne my daughter and no otherwiſe and in caſe my ſaid daughters now huſband ſhall dye and depart this life in the life tyme of my ſaid daughter Anne Tufton Then and from thenceforth I give deviſe and bequeath my ſaid laſt men^tioned meſſuages lands teſtits
and

and hereditam^m and eu'y part thereof vnto my said daughter Anne Tufton for and during the terme of her naturall life And from and ymediatly after the deceases of my said wife and daughter and of the longest liver of them Then to my said grandchildren John Tufton Anne Tufton Robert Tufton and Mary Tufton and to their heires and assignes for ever and to none other vſe intent or purpose whatſoeu^r (vnder y^e proviſoes and condiçions neu^theles herein before declared). — FINALLIE I doe hereby revoke countermaund and make voyd all former willes Testaments Codicilles executors legacies and bequeſts whatſoever by me att anie tyme made named giuen willed or appointed before the making of this my will willing and mynding that theis p^{nt}s only ſhall ſtand and be taken for my laſt will and Testament and none other Saveinge and reſervinge vnto my ſelfe nevertheles full power and authoritie to make add or annexe herevnto one or more Codicill or Codicills at my free will and pleaſure Any thing what ſoever before in this my laſt will and testam^t expreſſed to the contrary thereof in any wiſe notwithstanding IN WITNES whereof I the ſaid Captaine John Maſon the Teſtato^r to this my preſent laſt will and Testament being written in fourteene ſheets of paper wth my name ſubſcribed to everie ſheete have ſett my ſeale the Sixe and Twentieth daye of November Anno Dni 1635 And in the Eleaventh yeare of the raigne of o^r Sovereigne Lord Charles by the grace of God King of England Scotland, ſſraunce and Ireland defendo^r of the faith etc./ And in caſe my ſaid grandchildren John Tufton and Rob^t Tufton ſhall both dye in the life time of my wife wthout yſſue of their or either of their bodyes lawfully begotten Then I giue & bequeath all my Manno^m Meſſuags lands and teñts by me given to my ſaid Two grandchildren or either of them vnto my wife during the terme of her ſrall life And after her deceaſe to my daughter Anne Tufton during the terme of her ſrall life And after both their deceaſes then to ſuch p^ſon and p^ſons as the ſame is mentioned to be given and bequeathed vnto by this my will ³⁶⁸

JOHN MASON./
Signed

³⁶⁸ The ſeal is broken into ſmall pieces, ſo that it is impoſſible to give a proper deſcription of it. — COPYIST.

408 *Will of Captain John Mason.*

Signed sealed, published, and declared by the said Captaine John Mason the Testator as his last will and testament on the day and yerres aboue written in the presence of vs whose names are herevnder written

THO: NOEL, MATTHEW MASON, J: FFERRETT *Notary Publicque.*

Probatum fuit testamentum suprascriptum apud London Coram venerabili viro magistro Wilmo Clarke legum doctore Surrogato venerabilis viri domini Henrici Marten militis legum etiam doctoris Curiae Prerogative Cantuariensis magistri Custodis sive Commissarii legitime Constituti Vicesimo secundo die mensis Decembris Anno Domini Millesimo Sexcentesimo Tricesimo Quinto Juramento Anne Mason relicte dicti defuncti et executricis in huiusmodi testamento nominate Cui Commissa fuit administraçao omnium et singulorum bonorum Jurium et Creditorum dicti defuncti de bene et fideliter administrando eadem Ad Sancta Dei Evangelia iurat./

—Sadler. Folio 127.





MEMORIAL TO CAPT. JOHN MASON, AT PORTSMOUTH, ENGLAND.

IN the summer of 1874 Mr. John S. Jennefs, of New York, author of a "Historical Sketch of the Isles of Shoals," visited England. Mr. Tuttle requested him to collect such materials as he might find that would be useful to him in writing the life of Mason on which Mr. Tuttle was then engaged.⁸⁶⁹ During his stay in England Mr. Jennefs visited Portsmouth, and made the acquaintance of the Venerable Archdeacon Henry P. Wright, chaplain of her Majesty's forces there. On the 11th of September following, Archdeacon Wright addressed the following letter to the Hon. James A. Weston, Governor of New Hampshire, on the subject

⁸⁶⁹ Mr. Jennefs's collections were more voluminous than either Mr. Tuttle or he expected, and the result was that after his return he had them privately printed in a volume of 161 pages, under the title of "*Transcripts of Original Documents in the English Ar-*

chives relating to the Early History of New Hampshire. Edited by John Scribner Jennefs. New York: Privately printed, 1876." This work has been frequently quoted in the previous pages. It is a valuable contribution to the history of New Hampshire.

subject of a memorial to Mafon in the old church bearing the name DOMUS DEI, in which Capt. Mafon was accustomed to worship:—

PORTSMOUTH [ENG.], Sept. 11, 1874.

SIR,—It has been my privilege to live with many Americans around me, in California and British Columbia, as well as in the Western States and Canada. I have received from Americans the greatest kindness. You will therefore, I am sure, pardon my writing to you upon a subject of interest to both America and Great Britain, and especially to the State of New Hampshire. “Captain Mafon” was “Captayne” of South Sea Castle—in other words, he was Governor of Portsmouth—in the time of Charles I. He left the port of Yarmouth, in the Isle of Wight, and went with a body of kindred spirits, and endured with them the perils and hardships which attended the noble fellows who founded the now renowned State of New Hampshire.⁸⁷⁰

A highly intelligent American named Jennefs has lately been at Portsmouth seeking information about “Captayne Mafon,” in order that

⁸⁷⁰ Capt. Mafon did not accompany his colonists to New England, as the reader has already seen. He spent about six years in Newfoundland, but is believed never to have visited the shores of New England. It is true that in the *Title of Robert Mafon*, written in 1674–5, it is stated that in 1619 he made a voyage along the coasts of New England with Sir Ferdinando Gorges; but as other statements in this document are evidently erroneous, serious doubts are thrown on this. The year given, 1619, renders the story improbable, as Mafon was at that time governor of Newfoundland. Nor is it probable that he and Gorges made the voyage at any time. No allusion is made to such a voyage by Gorges, nor has any confirmation

of the statement been found elsewhere. The story as told in the *Title of Robert Mafon* is as follows:—

“King James of Blessed Memory being very intent in Establishing English Collonyes in America did in the year 1616 send John Mafon Esq^r to Newfoundland to settle that Country, appointing him Gouvernour, who continued there about Two yeares, and having recd orders from his Maj^{ty} to visit y^e parte of America now called New England, who together with S^r Ferdinando Gorges made a voyage along y^e Coast in An^o 1619 and att their returne for England gaue his Maj^{ty} a satisfactory acco^t both of their voyage and Country.” *Vide New Hampshire Documents*, by J. S. Jennefs, pp. 54, 55.

that an accurate history of the great man may be written. He visited our world-renowned church, the story of which I forward to you with this letter. In it we have England's noblest foldiers and failors, as you will read in the story. Now only one object for a memorial remains,—the four gas standards lighting the forty-two stalls, of which the first on one side is to Nelson's memory and the other to that of Wellington. I want, in a solemn and marked way, to connect New Hampshire with old Hampshire,—the hero who was one of the founders of New Hampshire and a governor of Portsmouth, with the heroes several of whom have been governors of this vast arsenal.

I write, therefore, to ask if you, Mr. Governor, and your many New Hampshire friends will present the four standards at a cost of £110 (including the brass plate, and its inscription on the wall of the chancel), to the memory of "Captayne Mason." If so, Sir Hastings Doyle, our present general and governor, and the president of our committee, will gladly communicate your desire, and our secretary of state for war will, I am sure, rejoice in accepting so gratifying an offer. I need hardly observe that it is not the money we seek; for had we a hundred memorials, they would be speedily applied for. No; what I want is a holy link between old Hampshire and New Hampshire, old Portsmouth and new Portsmouth, old England and a new and already mighty people, whom I have learned to honor and esteem.

I am, sir, yours faithfully and obediently,

H. P. WRIGHT,

*Chaplain to the Forces, and Chaplain to
H. R. H. the Duke of Cambridge, K. G.*

TO HIS EXCELLENCY THE GOVERNOR OF NEW HAMPSHIRE.

The Hon. Charles H. Bell, LL.D., since then governor of New Hampshire, called attention to this request of Archdeacon

deacon Wright, and urged compliance with it, in the following article in the "Exeter News Letter," November 27, 1874:—

Capt. John Mafon, the original patentee of New Hampshire, who expended generously of his substance to establish a permanent settlement on these shores, has lain in his grave for more than two centuries, while but scanty justice has been rendered to his memory. His biography, however, is now in preparation by Mr. Charles W. Tuttle, of Boston, a gentleman in every way admirably qualified for the work, and who will spare no labor nor pains to make it as complete as the materials now in existence at home and abroad will allow. And it appears that there has recently been awakened in the mother country also a desire to rescue the name of New Hampshire's early benefactor from oblivion. Archdeacon Wright, of Portsmouth, in England, has addressed a letter to the Governor of this State, in which he expresses his wish that a memorial of Mafon may be set up in the famous old church in that city, by the side of similar memorials erected in honor of Nelson and Wellington. It would be as a "holy link between old Hampshire and New Hampshire, old Portsmouth and new Portsmouth, old England and a new and already mighty people," whom the writer declares he has learned to "honor and esteem." The Archdeacon suggests that the "governor and his many New Hampshire friends" should present the four standards and the brass plate with an inscription, to be affixed to the chancel wall, which would constitute the memorial, the cost of which would be something above \$500. What steps about the matter Governor Weston has taken or designs to take is not yet known to us; but we hope he will incline to a favorable view of the proposal, and appeal to the people to contribute the amount required, in small donations, so that it may in a just sense be described as the gift of the inhabitants of the whole State, and not of a few individuals. It would, we are confident, take but a little time and labor on the part of a few persons
to

to procure the amount from the various sections of the State ; and it would be much to the credit of our Commonwealth to unite with the localities in the old world, of kindred race and name, in doing this tardy but well-merited honor to the memory of the founder of New Hampshire.

On the next day Mr. Tuttle addressed the following letter to Gov. Weston :—

Boston, 28th November, 1874.

SIR,—I have read in the public papers, with deep interest, the letter addressed to you by Chaplain Wright, of England, relative to placing a memorial of Capt. John Mafon in the ancient church of Domus Dei, in Portsmouth, Hampshire County, England. This generous offer to permit New Hampshire to complete the group of memorials of illustrious men in that venerable temple by adding a memento of Capt. Mafon, will be appreciated by all who recognize the historical connection between old Hampshire and New Hampshire.

The great merits of Capt. Mafon, it is lamentable to say, are still unknown to the world. For many years I have been collecting materials for an historical memoir of this distinguished man ; and, from the view I now take of his life and character, I venture to assert that he ranks among the worthiest of the enterprising Englishmen engaged in those "heroical works," in the language of the great Lord Verulam, of planting English colonies in North America, in the fore part of the seventeenth century. His efforts in America, though less in magnitude, compare favorably with those of Sir Walter Raleigh and Sir Ferdinando Gorges ; and when his full merits are disclosed, his name will rival theirs in the history of that great and memorable enterprise.

John S. Jenness, Esq., of New York, formerly of New Hampshire, informs me that he visited the famous church of the Domus Dei
some

some time last summer, and that the honor intended to be done to New Hampshire is no way exaggerated. I am sure that Mr. Jenness, from his well-known historical tastes, and the interest he takes in the history of New Hampshire, will gladly give you any information on this subject that you may need, and aid you in carrying out this worthy design.

Descended from the colonists sent to the Piscataqua by Capt. Mason, I shall take pleasure in contributing to the fund required to place this proposed tribute to his memory in the church where he worshipped, in that ancient maritime town where he conceived his plan of planting a New Hampshire in the forests of the New World.

I am, sir, your humble servant,

C. W. TUTTLE.

TO HIS EXCELLENCY GOV. WESTON, NEW HAMPSHIRE.

A few days later, Mr. Jenness addressed Gov. Weston as follows:—

PORTSMOUTH, N. H., Dec. 2, 1874.

SIR,—The recent letter to your Excellency from Archdeacon Wright, of Portsmouth, England, tendering to the people of New Hampshire the privilege of furnishing his Garrison Church four gas standards and a suitably inscribed tablet, as a memorial of Capt. John Mason, contains an allusion to myself which seems to justify me in adding a few words on the subject of the letter.

The public-spirited citizens of New Hampshire cannot fail to be moved by the Archdeacon's proposal. Our State owes a heavy debt to Capt. John Mason, no part of which has ever been discharged. For many years of his busy life, though actively engaged in the naval and military service of Great Britain, he relaxed not the most energetic efforts for the colonization and development of this province.

He

He was the chief adventurer in founding the first permanent English colony on our coast; and for several years he maintained that colony almost single-handed, amid the fluctuating fortunes of the Council of New England, at a vast pecuniary sacrifice, and under circumstances of discouragement that would have broken a less resolute spirit than his own. The sole proprietor of the future province, he gave to our State its name; and the name of our city of Portsmouth is borrowed from that of his residence.

The well-earned tribute to his memory now proposed to be placed in the beautiful chapel where he worshipped, in the midst of memorials to the most illustrious of British heroes, such as Nelson, Wellington, Raglan, Hill, and the Napiers, will be of a kind to attract at once the special attention of visitors, and to perpetuate with honor his name and glory; while it will mark the generous gratitude of New Hampshire for his signal service to her in her early days.

The friends of the proposal may confidently rely, in the erection of these standards, upon the best services of the Archdeacon, a gentleman of high social standing, refined culture, and extensive learning. The moneys remitted to him will be expended to the best advantage in carrying out the purpose of the subscribers.

It would perhaps be a simpler and speedier course, in the present emergency, to solicit subscriptions in sums of fifty or a hundred dollars each, if the needed amount—about \$600—can be obtained in that way; especially if the Archdeacon should see fit, as the usage is, to engrave the names of the donors on the memorial tablet.

For my own part, I shall be pleased to make one of five or ten New Hampshire men to defray the cost of the proposed standards and tablet; and, if desired, will lend my best endeavors to the procuring the co-operation of other gentlemen in carrying out the Venerable Archdeacon's suggestions.

I am your obedient servant,

JOHN S. JENNESS.

TO HIS EXCELLENCY GOV. WESTON.

Gov. Weston

Gov. Weston felt that the people of New Hampshire ought to improve this opportunity of manifesting their sense of the obligations which they owed to Mason. He replied on the 14th of December to the letters of Messrs. Tuttle and Jenness. His letters are as follows:—

STATE OF NEW HAMPSHIRE, EXECUTIVE DEPARTMENT,
MANCHESTER, Dec. 14, 1874.

DEAR SIR, — Your favor of the 28th ult., referring to placing a memorial in the chapel at Portsmouth, England, to Capt. John Mason, came duly to hand. I am very glad that the proposition of Archdeacon Wright is appreciated, and that his suggestion is awakening so much interest. Nothing could be more appropriate than to place in that ancient church some tribute to the memory of Capt. Mason.

I have had some correspondence with John S. Jenness, Esq., who, like yourself, has generously offered to contribute towards raising the necessary funds, and I have asked him to take the initiatory steps to carry the project into effect. I hope you may be able to confer further with him relative to this matter. Thanking you for your very interesting letter, I remain

Yours very truly,

JAMES A. WESTON.

C. W. TUTTLE, ESQ., Boston, Mass.

STATE OF NEW HAMPSHIRE, EXECUTIVE DEPARTMENT,
MANCHESTER, Dec. 14, 1874.

JOHN S. JENNESS, ESQ.

MY DEAR SIR, — Your valued letter of the 2d instant was duly received. My apology for the long delay in replying is a pressure of business and absence from the city.

Your generous offer to assist, by contribution and otherwise, in raising the necessary funds to procure the memorial suggested by Archdeacon Wright

Archdeacon Wright in honor of Capt. Mason is warmly appreciated, and you will confer a favor on me personally if you will lead in this matter; and if the citizens, or former citizens, of *our* Portsmouth can furnish the sum required, it would seem to be a very appropriate and worthy act. I have written to the Archdeacon, inclosing your letter, and intimated that his proposition would probably be accepted.

Yours very truly,

JAMES A. WESTON.

Gov. Weston also addressed the following letter to Archdeacon Wright, and received the reply which is appended to it.

STATE OF NEW HAMPSHIRE, EXECUTIVE DEPARTMENT,
CONCORD, Dec. 14, 1874.

DEAR SIR,—Your highly interesting letter (with book) of September 11 came duly to hand. Appreciating your proposition and the appropriate method you proposed, to place in your beautiful chapel a well-earned tribute to the memory of Capt. John Mason, I immediately caused the publication of your communication.

Such a response has come from this, that I am warranted in the belief that the sum necessary to procure the memorial you suggest will be raised.

I inclose a letter from Mr. Jenness, of whom you made mention. You will there note his suggestion relative to engraving the donor's name upon the memorial tablet. Can this be done?

Thanking you very cordially for your kind words regarding our people, and trusting that through your efforts a holy and lasting link may unite the old and new, I remain

Yours very truly,

JAMES A. WESTON, *Governor.*

To the VEN. ARCHDEACON WRIGHT, M. A.,
Chaplain to the Forces, Portsmouth, England.

PORTSMOUTH, Dec. 31, 1874.

SIR,—I have the honor to thank you for your letter dated December 14, and in reply to state that I this morning saw Lieut.-Gen. Sir Hastings Doyle, K. C. M. G., the president of our committee, and that the names of the donors of the "Mafon Memorial" will be placed upon a handsome brass which will occupy a prominent position in the chancel and close to the standards. Sir Hastings, who, when governor of Nova Scotia, passed seven weeks as the guest of Gen. Grant before Richmond, suggested that the flag of the United States shall have a due place on the brass. I can assure your Excellency that all pains will be taken to do honor to the memory of the great man who founded your distinguished State, and so tended in a marked way to raise a nation which in its youth has stood forth the admiration of the world. I shall always esteem it one of the greatest privileges of my life that I have been permitted to join with you, sir, and other distinguished Americans, in paying respect to the memory of a gallant soldier, who, as the founder of New Hampshire, did so much for the extension of colonization, and set so noble an example of enterprise and daring.

Pray accept my best thanks for all you have done touching this our good work, and permit me to be, sir,

Yours faithfully and obediently,

H. P. WRIGHT,

*Chaplain to the Forces, and Chaplain to
H. R. H. the Duke of Cambridge, K. G.*

HIS EXCELLENCY JAS. A. WESTON,
Governor of New Hampshire, United States.

Through the exertions principally of Mr. Jenness, who bore a considerable portion of the expense himself, the money was raised and the standards and tablets were placed in the church. The tablet measures thirty inches by seventeen. On the left hand is the seal of New Hampshire,
drawn

drawn in a radius of four inches. Around the circle of the seal is "RESPUBLICA NEO-HANTONIENSIS, 1874." The inscription on the tablet is as follows:—

D. D. JOHN SCRIBNER JENNESS, CHARLES LEVI WOODBURY, CHARLES WESLEY TUTTLE, ALEXANDER HAMILTON LADD,⁸⁷¹ CHARLES HENRY BELL, ELIZA APPLETON HAVEN,⁸⁷¹ CHARLOTTE MARIA HAVEN.⁸⁷¹ (ALL OF NEW HAMPSHIRE, U. S.)

TO THE GLORY OF GOD, AND IN MEMORY OF CAPT'N JOHN MASON, CAPTAIN IN THE ROYAL NAVY, TREASURER OF THE ARMY, CAPTAIN OF SOUTH SEA CASTLE, GOVERNOR OF THE COLONY OF NEWFOUNDLAND, PATENTEE AND FOUNDER OF NEW HAMPSHIRE IN AMERICA, VICE ADMIRAL OF NEW ENGLAND, BORN 1586, DIED 1635.

THIS FAITHFUL CHURCHMAN, DEVOTED PATRIOT AND GALLANT OFFICER, OF WHOM ENGLAND AND AMERICA WILL EVER BE PROUD, WAS BURIED IN WESTMINSTER ABBEY.

⁸⁷¹ Alexander H. Ladd, Eliza A. Haven, and Charlotte M. Haven are all descendants of Capt. John Mason, being great-grandchildren of Col. John Tufton⁸ Mason, from whom the Masonian Proprietors purchased their rights in New Hampshire. John Tufton Mason had two daughters, one of whom, Sarah Catharine¹⁰ Mason, married Samuel Mofat. Their daughter Mary Tufton¹¹ Mofat married Nathaniel A. Haven, and had one son and two daughters. The son, Nathaniel Appleton¹² Haven, Jr.,

distinguished as a writer, was the father of Misses Eliza A.¹² and Charlotte M.¹² Haven, whose names appear on the inscription. The eldest daughter, Maria Tufton¹² Haven, married Alexander Ladd, and their son Alexander H.¹² Ladd is the other descendant of Captain Mason named in the inscription. *Vide Genealogy of the Descendants of Richard Haven*, by Josiah Adams (1843), pp. 32, 33; *Rambles about Portsmouth*, by C. W. Brewster, 1st Series (1859), p. 130.



AUTOGRAPHS.

A cursive handwritten signature in black ink, reading "John Mason". The letters are fluid and connected, with a prominent loop at the end of the word "Mason".

AUTOGRAPH OF CAPT. JOHN MASON, 1634.

A cursive handwritten signature in black ink, reading "Anne Mason". The script is elegant and flowing, with a long, sweeping underline for the word "Mason".

AUTOGRAPH OF MRS. ANNE MASON, 1638.

A cursive handwritten signature in black ink, reading "Robert Mason". The signature is highly stylized, with a large, ornate loop at the beginning of the word "Robert" and a long, horizontal flourish extending from the end of "Mason".

AUTOGRAPH OF ROBERT MASON, 1682.



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A true, lively and experimentall description of that part of *America*, commonly called New England: discovering the State of that Countrie, both as it stands to our new-come *English* Planters; and to the old Native Inhabitants. By WILLIAM WOOD. London, 1634. Preface by Charles Deane, LL.D. pp. 131. Boston, 1865.

THE HUTCHINSON PAPERS.

A Collection of Original Papers relative to the History of the Colony of Massachusetts-Bay. Reprinted from the edition of 1769. Edited by William H. Whitmore, A.M., and William S. Appleton, A.M. 2 vols. Vol. I. pp. 324. Vol. II. pp. 354. Albany, 1865.

JOHN DUNTON'S LETTERS FROM NEW ENGLAND.

Letters written from New England A.D. 1686. By John Dunton, in which are described his voyages by Sea, his travels on land, and the characters of his friends and acquaintances. Now first published from the Original Manuscript in the Bodleian Library, Oxford. Edited by William H. Whitmore, A.M. pp. 340. Boston, 1867.

THE ANDROS TRACTS.

Being a Collection of Pamphlets and Official Papers issued during the period between the overthrow of the Andros Government and the establishment of the second Charter of Massachusetts. Reprinted from the original editions and manuscripts. With a Memoir of Sir Edmund Andros, by the editor, William H. Whitmore, A.M. 3 vols. Vol. I. pp. 215; 1868. Vol. II. pp. 346; 1869. Vol. III. pp. 257; 1874. Boston.

SIR WILLIAM ALEXANDER AND AMERICAN COLONIZATION.

Including three Royal Charters, issued in 1621, 1625, 1628; a Tract entitled an Encouragement to Colonies, by Sir William Alexander, 1624; a Patent, from the Great Council for New England, of Long Island, and a part of the present State of Maine; a Roll of the Knights Baronets of New Scotland; with a Memoir of Sir William Alexander, by the editor, the Rev. Edmund F. Slafter, A.M. pp. 283. Boston, 1873.

JOHN WHEELWRIGHT.

Including his Fast-day Sermon, 1637; his *Mercurius Americanus*, 1645, and other writings; with a paper on the genuineness of the Indian deed of 1629, and a Memoir by the editor, Charles H. Bell, A.M. pp. 253. Boston, 1876.

VOYAGES OF THE NORTHMEN TO AMERICA.

Including extracts from Icelandic Sagas relating to Western voyages by Northmen in the tenth and eleventh centuries, in an English translation by North Ludlow Beamish; with a Synopsis of the historical evidence and the opinion of Professor Rafn as to the places visited by the Scandinavians on the coast of America. Edited, with an Introduction, by the Rev. Edmund F. Slafter, A.M. pp. 162. Boston, 1877.



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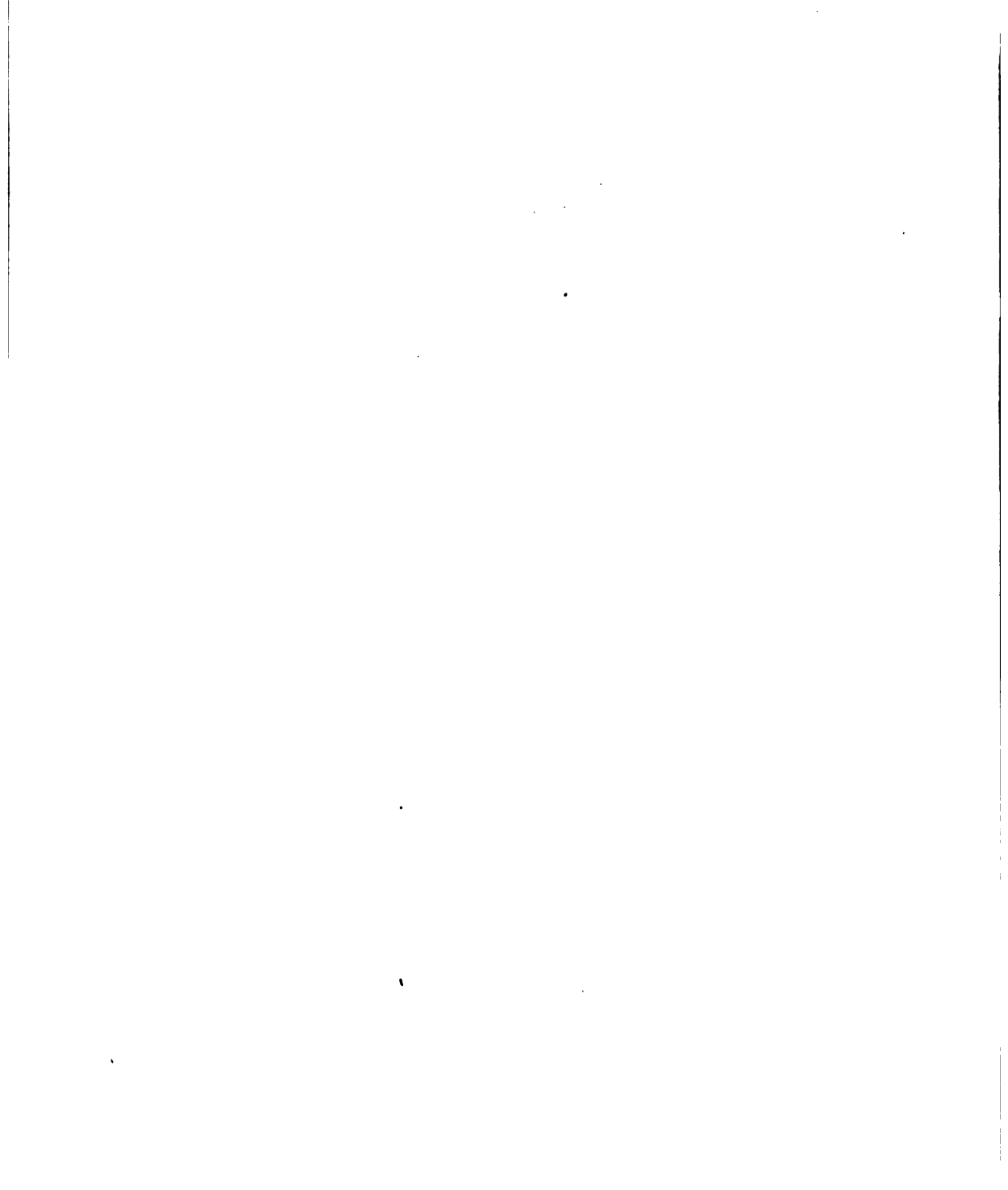
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